

## HOUSE OF REPRESENTATIVES—Tuesday, April 16, 1985

The House met at 12 o'clock noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Help us, O God, to lift our eyes to the gracious gifts we have received, and not only to the real problems that we meet. In spite of the trials and difficulties that we face, may we begin each day with a prayer of thanksgiving for the life that You have breathed into our souls and for the many good people who are colleagues and friends. For our concerns, give us strength, and for our blessings, we offer this word of praise. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Sparrow, one of its clerks, announced that the Senate had passed a bill and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 661. An act entitled the "George Milligan Control Tower";

S.J. Res. 47. Joint resolution designating the week beginning November 10, 1985, as "National Women Veterans Recognition Week";

S.J. Res. 52. Joint resolution to designate the month of April 1985 as "National School Library Month";

S.J. Res. 63. Joint resolution to designate the week of April 21, 1985, through April 27, 1985, as "National DES Awareness Week";

S.J. Res. 67. Joint resolution to designate the week of October 6, 1985, through October 12, 1985, as "Mental Illness Awareness Week";

S.J. Res. 90. Joint resolution commemorating the 75th anniversary of the Boy Scouts of America;

S.J. Res. 94. Joint resolution to designate the week beginning May 12, 1985, as "National Digestive Diseases Awareness Week"; and

S.J. Res. 109. Joint resolution to designate the week of April 14, 1985, as "Crime Victims Week."

## MARVELOUS MARVIN HAGLER

(Mr. DONNELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DONNELLY. Mr. Speaker, Marvellous Marvin Hagler is one of the great athletes of our age.

If anyone still had any doubts, he put them to rest last night with a spectacular defense of his undisputed middleweight boxing championship.

Marvin Hagler's courage, dedication, and athletic ability put him in the same class as the legendary Rocky Marciano, another son of Brockton, MA, the city of champions.

His boxing career began 12 years ago in Brockton, and he has worked his way to greatness under the guidance of longtime local trainers Pat and Goody Petronelli.

Boxing is a test of one man's strength, skill, and heart against another's, one on one. Marvin Hagler is simply the best.

## CHILDREN AND YOUNG FAMILIES—AMERICA'S NEW POOR

(Mr. PORTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, 25 years ago, the poverty rate for America's elderly people was close to twice the national average. Today, it's well below average. In fact, when all transfer payments are taken into account, the poverty rate for the elderly is only about 3 percent; that's less than for any other age group.

This is a tremendous national accomplishment. We can take pride in knowing that our society provides a decent and comfortable retirement, with good health care, for our senior citizens.

But a new problem has popped up. We have a new population of poor people. Young families. Young adults, single and unemployed. Small children. The poverty rate for Americans under the age of 25 is the highest for any age group. Over the past 5 years, that rate grew by almost 50 percent—while the rate for the elderly fell by 7 percent.

In the 1981-82 recession, young people were especially hard hit—as they will be again, if we hit another downturn.

It is on top of this that we add, year after year, \$200 billion of public debt to our children's burden, and \$100,000 in extra taxes for each of them to pay just to carry the interest on the \$2 trillion of debt that is their inheritance.

## HARD CHOICES ON MEDICAL CARE

(Mr. ROWLAND of Georgia asked and was given permission to address

the House for 1 minute and to revise and extend his remarks.)

Mr. ROWLAND of Georgia. Mr. Speaker, once again, attention is being focused on the difficulty of addressing complex medical issues by the tragedy of Karen Ann Quinlan, which happened 10 years ago today.

Mr. Speaker, highly sophisticated life-support systems have helped to increase the life and improve the quality of life for many of our citizens, but on the other hand, these same systems have become monsters. The Department of HHS has recently released regulations that have to do with Baby Doe cases and in the decision that is made there, there can be no decision with reference to quality of life that can be used.

Mr. Speaker, it seems to me that this is an infringement upon families and physicians and upon our Maker, third parties becoming involved in these decisions. We talk about increasing cost of medical care in this country on the one hand; but then on the other hand, we do those very things that will increase the cost of medical care.

Mr. Speaker, there are some hard choices that are going to have to be made by the people in this country.

## LOCAL GOVERNMENTS' CONCERNS WITH THE DEFICIT DEBATE

(Mr. CLINGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLINGER. Mr. Speaker, recently, my good friend and colleague, Congressman Tom Ridge, and I conducted a survey of, and held field hearings with, local government officials from our districts to get a clear idea, in light of the current budget debate, which Federal programs they considered to be truly vital. Not surprisingly, we heard support expressed for continuing programs like UDAG, Community Development Block Grants, the various economic development programs, and others. The merits and successes of such programs are always more apparent outside the Capitol Beltway.

At the same time, most local officials are not ignorant of the Federal deficit's magnitude, and are realistic about the prospects for their favorite programs surviving forever. They were almost unanimous, however, in cautioning that the abrupt cancellation of general revenue sharing could be dis-

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

astrous, resulting in local property tax increases of 25 to 50 percent.

Local governments have prudently and properly included revenue sharing in their operating budgets through next year because we, in Congress, promised them it would be there. Less than 2 years ago, this body voted overwhelmingly to continue this relationship with local authorities, and our President told us we had never spent money more wisely.

One writer recently said the Federal Government may have so thoroughly woven itself into the American social fabric that it cannot now be removed without ripping it. I propose that, if revenue sharing is to be finally eliminated, we owe it to our local governments to not rip the social fabric, to phase it out properly, allowing them adequate lead time to plan.

With this in mind, I have decided to cosponsor H.R. 796 to reauthorize the general revenue-sharing program for 3 years.

□ 1210

#### WORLD WOMEN PARLIAMENTARIANS GROUP OFFERS UNIQUE PERSPECTIVE FOR LASTING PEACE

(Mrs. BOXER asked and was given permission to address the House for 1 minute, and to revise and extend her remarks, and include extraneous matter.)

Mrs. BOXER. Mr. Speaker, as Congresswoman SCHROEDER has stated, she and Congresswoman SCHNEIDER and I represented America in the first ever Women's Peace Summit in Stockholm, Sweden. It was very exciting and rewarding to work with women from 15 different countries from all kinds of political systems, but with one goal, to make sure the world never explodes in a nuclear holocaust.

We believe, with women parliamentarians from all over the world, that we bring a unique perspective to the nuclear arms race. We are daughters, we are mothers, we are grandmothers, we have raised our children to thrive in a peaceful world, not to die in war, and we want a just and lasting peace for all God's children. This year, in the bilateral talks between the Soviet Union and the United States, there will be a real chance for a lasting peace, and I hope that this new organization of women parliamentarians from all over the world will help that chance.

#### LESSONS OF THE HOLOCAUST

(Mr. SAXTON asked and was given permission to address the House for 1 minute.)

Mr. SAXTON. Mr. Speaker, the 40th anniversary of the end of the Holocaust is being observed this week in ceremonies throughout the United

States. I commend my colleagues for voting to allow one such ceremony in the Capitol rotunda.

Today, I am also asking my colleagues in the House to cosign a letter to the President. This letter encourages him to finalize plans for a visit to Dachau concentration camp in his forthcoming trip to West Germany.

I appreciate the President's theme of reconciliation and peace in his visit. However, I believe it is also important to acknowledge and honor the victims of man's inhumanity to man.

There are those, I know, who argue that time should heal all wounds, and that generations born after the Holocaust should not have to bear responsibility for the tragedy.

Yet remembrance of the Holocaust teaches us that racism of any kind is a curse to all mankind.

It was for this very reason that I sponsored legislation in the New Jersey Assembly in 1979 which provided for an educational curriculum on the Holocaust.

I believed then, as I believe now, that our children must know of the history of the Nazi rise to power, and the resulting horrors perpetrated against humanity.

History teaches us many lessons. And perhaps this one is the most difficult—yet the most important—of all.

#### SUPPORT URGED FOR CONTADORA PEACE PROCESS

(Mr. BOUCHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOUCHER. Mr. Speaker, my recent travels in Nicaragua have persuaded me that our policy of providing aid to the Contras is having the opposite of its intended effect.

The President's goal is to destabilize Nicaragua's Government, but by supporting remnants of the hated Somoza National Guard he is facilitating consolidation by the government of its control.

Nicaragua's neighbors, our allies in the region, have produced a treaty which they believe will protect their security interests. It would prohibit the placement of foreign military bases on Nicaraguan soil. It would prevent the Nicaraguans from arming or training insurgents in other countries, and it would provide for onsite inspection to ensure Nicaragua's compliance.

These are treaty terms which will protect the security of our Latin American allies and our security as well. Rather than conduct an illegal covert war against Nicaragua we should promote stability and our long-term security by supporting the Contadora peace process.

#### A "CLOSE VOTE" IN INDIANA

(Mr. FAWELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FAWELL. Mr. Speaker, there is an old adage in the law that says, "bad cases make bad laws."

In the past 52 years, only three election recounts have been conducted by the House. In all three cases the decision to proceed with a congressional recount was based on at least one or more of three objective standards. These standards are:

First, no State certificate of election had been issued, or if issued, had been revoked, and/or

Second, the State in which the election was held lacked a statute providing for a recount, and/or

Third, there were allegations of fraud.

None of these standards apply in the McIntyre election.

Objective standards to determine when this House should take jurisdiction of a congressional recount have thus been removed by congressional action in the McIntyre case and replaced with a subjective criteria, which is: a congressional recount is in order solely on the grounds of a "close vote." There is no definition of what is a "close vote."

That precedent will eventually come back to haunt future sessions of Congress.

#### "GHOST VOTERS" HOLD KEY TO INDIANA RECOUNT RESULT

(Mr. DURBIN asked and was given permission to address the House for 1 minute.)

Mr. DURBIN. Mr. Speaker, for those who have been following the saga of the Eighth Congressional District in Indiana, you will be interested in knowing the plot has taken a surprising turn.

Over the past 4 months this body has been subjected to a barrage of speeches by our Republican colleagues over the election contest in Indiana's Eighth Congressional District.

In an expensive media campaign by the Republican National Committee the Democrats have been accused of denying the Republican candidate a victory which at various times he has claimed to have won by 34 or 418 votes.

The facts of the recount dispute these false Republican claims.

As of this morning the candidates are separated in the recount by only one vote.

In two counties there are 40 more votes appearing on the voting machines than the total number of voters who signed in at the polling place.

If these ghost voters are counted, the Republican candidate may prevail.



If the recount committee does not add in these ghost voters, the Democrat will be declared the victor.

This 1984 Indiana election contest finally rests on a very simple question.

Will the voters of Indiana's Eighth Congressional District make the choice and return Frank McClosky to Washington or will 40 ghost voters send us their choice, Mr. McClosky's opponent?

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1617, NATIONAL BUREAU OF STANDARDS AUTHORIZATIONS, 1986 AND 1987**

Mr. BONIOR of Michigan, from the Committee on Rules, submitted a privileged report (Rept. No. 99-41) on the resolution (H. Res. 128) providing for the consideration of the bill (H.R. 1617) to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal years 1986 and 1987, and for other purposes, which was referred to the House Calendar and ordered to be printed.

**REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1210, NATIONAL SCIENCE FOUNDATION AUTHORIZATIONS, 1986 AND 1987**

Mr. BONIOR of Michigan, from the Committee on Rules, submitted a privileged report (Rept. No. 99-42) on the resolution (H. Res. 129) providing for the consideration of the bill (H.R. 1210) to authorize appropriations to the National Science Foundation for the fiscal years 1986 and 1987, and for related purposes, which was referred to the House Calendar and ordered to be printed.

**THE MOST IMPORTANT DEBATE OF THE DECADE**

(Mr. RITTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RITTER. Mr. Speaker, these Chambers will soon witness the latest chapter in what perhaps is the most important debate of the decade. This debate will not only be about Nicaragua and its establishing of a Soviet Communist base on the land bridge between North and South America, it will be about the soul of the Democratic Party. All over the country Democrats are holding conferences on how to move their party back toward the center.

Well, I call upon my Democratic colleagues to see this crucial debate on Nicaragua as an opportunity to show the American people that you are serious about returning to the mainstream.

The fringe philosophy of "blame America first" has heralded our foreign policy setbacks and paralleled the setback of the Democratic Party in national elections.

As a Republican, I might welcome this self-immolation, but as an American I view it as a disaster for the well-being of our mutual enterprise.

Mr. Speaker, the ghosts of Franklin Roosevelt, Harry Truman, John F. Kennedy, Hubert Humphrey, and Henry Jackson will be present during this debate.

Democrats who are talking about recapturing the center should pay heed to them. Not to do so will only injure their memory and further injure the Democratic Party itself.

**CENTRAL AMERICA: A DOSE OF REALITY**

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GONZALEZ. Mr. Speaker, beginning today, I will speak to the issue of Central America. Each day, I will seek to provide factual background, because we cannot hope to formulate a workable policy without a clear understanding of Central America, what our role has been, and how our policy has not only violated decency and offended commonsense, but has violated the letter and spirit of law after law.

I will discuss how our own laws have been violated in Central America. I will show how our policy has violated international law. And I will discuss what the region is like, what our role there has been, and how current policy in no way differs from failed policies of the past.

Each day, I will present a little dose of reality. Each day, I will light a little match, in the hope of igniting a torch of honesty, in a region where dishonesty and utter cynicism has been the rule of our policy. After all, where else in the world but Central America, and specifically Nicaragua could or would a U.S. President justify support of a dictator as evil as Somoza by saying: "He may be an SOB, but he's our SOB." It is long past time that our policy becomes more decent than that. It is time that we understand how we are perceived, what we have done, and we can now do to redeem ourselves in Central America, the most notable scene in the world of benign neglect and malign action from our Government. It is time that we base our policy on decency rather than expediency, on humanity rather than greed, and on honesty rather than paternalism.

**HOUSE SHOULD CONSIDER RESOLUTION CONDEMNING SOVIETS FOR MURDER OF MAJ. ARTHUR D. NICHOLSON**

(Mr. ARMEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, earlier this morning, the House Democratic leadership made a capricious decision to remove House Resolution 125 from consideration by the House. House Resolution 125 is the resolution condemning the Soviet Union for the brutal murder of Maj. Arthur D. Nicholson, and had over 60 cosponsors, including 18 members of the Foreign Affairs Committee, from both sides of the aisle.

I believe that if the majority of Members feel that it is not in the best interest of the United States for the House to issue such a condemnation, then they should vote the resolution down—but we should not be prevented from considering the issue on its merits.

By playing down the importance of the murder of Major Nicholson we are once again doing our best to paint a rosy picture of the nature and intentions of the Soviet leaders, and in the process creating a false hope for a faithfully observed arms reduction agreement.

For once let's expose the dishonorable methods and motives of the Soviet leadership, and let the people of the world pass judgment. As a start, let's consider House Resolution 125.

This is the strongest statement to date expressing American indignation over the murder, and our refusal to tolerate future violations of treaties and agreements. If Mr. Gorbachev is testing our resolve, let's show him we've come to play hardball. If Mr. Gorbachev is seeing just how far he can push us, let's call his bluff.

No retaliation, as such, is necessary. My proposal is simple: Present the facts to the people of the world and let them pass judgment. This means maintaining a full-scale information barrage throughout the United States and the world. If ever there was a situation which demands public diplomacy, not silence, this is it.

**SOCIAL SECURITY/REAGAN**

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, last November President Reagan promised that he would never stand for a reduction in Social Security.

Last month Ringling Brothers Circus announced that its new star attraction would be a live unicorn.

Both turned out to be a hoax.

President Reagan has now given his blessing to a Republican budget plan which proposes a major reduction in Social Security. By supporting this plan, he has flatly broken his promise to millions of senior citizens.

Mr. Speaker, we Democrats believe a promise is a promise is a promise. Obviously, the Republicans believe a promise is a promise only as far as the next election. After all, if Mr. Reagan did not cut Social Security, he might have to forego an increase in Pentagon spending or, even worse, close tax loopholes that allow thousands of wealthy Americans and corporations to avoid taxes. General Dynamics, which paid no taxes last year, should be very happy with President Reagan.

Mr. Speaker, when the circus promised a unicorn, it delivered a goat. When the President promised to protect Social Security, he delivered a turkey.

#### ACCEPT THE LAWFUL RESULT

(Mr. ECKERT of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ECKERT of New York. Mr. Speaker, here we are more than 5 months after the general election and still there is no representation in this House for the people of the Eighth Congressional District of Indiana. What a travesty of our representative system of government! The political motivations which have prevented this House from permitting the duly elected—and properly certified—candidate—Rick McIntyre—to assume his rightful place here are a blot on the record of the House.

Mr. McIntyre won his election in a fair count of the votes on election day. He won again in a strict recount of the votes in the district conducted under Indiana election law. His election was properly certified by the responsible officials of the State of Indiana under the laws of that State.

What we apparently have now is yet a third count under improvised rules of a House task force which exist in no election law and which have been applied to no other congressional election. And even these rules are being subjectively, unevenly applied in different areas. What if there is a result at odds with the first two counts? Will we be asked to accept the 1-out-of-3 result achieved by dubious standards irregularly employed?

Mr. Speaker, we are a government of law. Let the House accept the results of the lawful election of the State of Indiana and seat Rick McIntyre.

#### THE PRESIDENT HAS BEEN FAILING TO PROVIDE NORMAL LEADERSHIP

(Mr. LEVIN of Michigan asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. LEVIN of Michigan. Mr. Speaker, of all events, human tragedy should not be politicized. That is especially true of the supreme tragedy—the Holocaust.

As a result, there was a muting of public criticism by many in political life when the President first decided to refrain from a trip to a concentration camp on his trip to Germany.

My personal concern was heightened when I heard the President explain that decision in these words:

Very few alive (in Germany) remember even the war . . . they do have guilt feelings that's been imposed upon them.

Then the President decided to visit a German military cemetery. The Holocaust was a cataclysmic event that tolerates neither equivocation nor political or publicity tradeoffs. A President has a unique opportunity to exert moral leadership. In this case, President Reagan has been failing the Nation; indeed, the world.

□ 1230

#### REMOVAL FROM AGENDA OF HOUSE RESOLUTION 125 CONDEMNING SOVIET GOVERNMENT FOR MURDER OF MAJ. ARTHUR D. NICHOLSON, JR.

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, I have before me a copy of the program of the House of Representatives for this week. Listed as one of the items that we were to take up today is House Resolution 125 condemning the Soviet Government for the murder of Maj. Arthur D. Nicholson, Jr.

It is now my understanding that we will not take up that resolution. I am disappointed. We have waited far too long already to condemn the brutal, calculated murder of that American soldier.

It seems to me that we had, by scheduling it today, a chance to correct our waiting too long. By pulling it off the calendar we will now wait more. That is wrong, Mr. Speaker.

When we talk about moral leadership, we need to provide some moral leadership right here, too, by condemning those who murder as a part of their political will.

#### HOUSE RECOUNT OF INDIANA EIGHTH CONGRESSIONAL DISTRICT

(Mr. PANETTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PANETTA. Mr. Speaker, I take this time to update the House on the results in the Eighth District election.

Today the actual count will be completed in all 15 counties so that the actual counting process in all 15 counties will, in fact, be completed by today.

However, it is clear that out of some 234,000 votes that were cast that the result will be extremely close. It is a dead heat at this point.

The final count will depend on two things: a resolution by the task force in three areas. One, the ballots that are segregated by the various teams. We expect about a dozen of those to have to resolve. A final resolution of questions relating to unnotarized absentee ballots, and also third, a final resolution of reconciliation questions that have come up in about 40 of the 400 precincts.

This has been a difficult and challenging process. I want to commend the GAO auditors and the teams and the various individuals involved with this count as well as the members of the task force who have been involved in trying to resolve these issues.

I also want to thank the House for its patience in this difficult issue. My hope is that a final report will be completed on Thursday and reported to the House floor at the beginning of next week, and that the result will be a credible count. It will be a close count, obviously. But I think the House will be true to its responsibility to the Constitution and to the people of the Eighth District.

Mr. Speaker, as I indicated to the House on April 2, during the debate on House Resolution 121, and again 2 weeks ago on Thursday, before the House recessed for the Easter district work period, the task force, after consultation with the recount director, had set today as the target for completion of the House recount of the eighth Congressional District of Indiana.

The counting teams, under the direction of the recount director, Mr. James Shumway, whose appointment the members of the task force unanimously agreed to, have nearly completed the counting, and although I am not able this afternoon to announce the final vote totals, I can assure you that those figures will be known in short order.

Let me bring you up to date on where we are in the counting process. First, as of this moment, the GAO counting teams have completed counting in 12 of the 15 counties which make up the Eighth Congressional District. There will be counting teams in each of the three remaining counties today. The 14 GAO auditors and the GAO Supervisor, Mr. Jim Meissner, comprise 7 counting teams. Each member of each counting team is rotated daily to ensure that no two auditors serve together on consecutive days.



At each counting location during the recount, the task force has assigned House staff from the majority and the minority, who share responsibility with the recount director for the maintenance of order in the recount process. The majority and minority staff are the House watchdogs, ensuring that the process is carried out under the recount procedures agreed to unanimously by the members of the task force.

In addition, majority and minority staff are responsible for deciding which ballots the task force must individually examine. The task force then determines whether each such ballot can be counted under the counting rules, which were adopted, with one exception, by unanimous agreement of the task force.

In addition to the GAO counting teams, and the majority and minority staff at such counting location, each of the candidates is allowed an observer for each of the seven GAO counting teams. Each of the candidates has assigned such observers, who watch the process and inform the majority and minority staff of any problems which they might observe.

To ensure that the press and the public are well served and fully informed, the counting process is open to observation firsthand, and any and all interested parties are free to observe and to witness all of the events connected with the counting.

So let me summarize with respect to the cast of characters who are present at each counting location. First, the recount director, or in his absence the GAO supervisor, oversees the counting teams, ensuring that all records are properly maintained, and that the ballots remain secure.

Second, the majority and minority task force staff share responsibility for orderliness, and determine which ballots are set aside for individual consideration by the task force.

Third, each candidate has observers, one for each of the seven counting teams at each counting location.

And fourth, the press and the public are regular observers of all the recount processes.

Now, what about the recount process itself. What are the mechanics which are taking so long to complete? Well, for one thing, as the counting teams have gone through each precinct in each county, they have been examining each ballot separately, to determine whether each ballot complies with the counting rules adopted by the task force. There are 22 task force counting rules, and there are approximately 234,000 ballots in the Eighth Congressional District, and before the recount is through, each will have been separately examined for compliance with the counting rules.

And as is true with any undertaking of this magnitude and complexity, the

counting teams have run across situations for which no rule exists. In such cases, when the matter cannot be ironed out by the recount director with the concurrence of both the majority and minority staff, the matter is referred to the task force for resolution. These unanticipated and unavoidable situations have required approximately a third again the amount of time that the recount was supposed to have taken.

Now, how these situations, and the ballots which have been segregated for task force review, get resolved? Well, under the task force counting procedures, all such decisions must be made in the Eighth Congressional District of Indiana. So the task force has convened in the municipal building in Evansville, IN on 3 separate days during each of the last 3 weeks to resolve such matters.

So far the task force has examined the several dozen ballots referred to it, and in all but two instances, has unanimously agreed to count each of the ballots. In each of the two instances, the ballots bore marks which the task force considered distinguishing marks, which are marks placed on the ballot by the voter to identify that ballot to that particular voter. Under the task force counting rules, and under House precedents and most State laws, ballots with distinguishing marks are invalid as a matter of public policy.

A second category of questions has been referred to the task force for consideration. That is the category of reconciliation. There are over 400 precincts in the eighth Congressional District, and as you can imagine, the numbers in many of the precincts do not add up perfectly. The discrepancies usually take the form of one or two more, or one or two fewer ballots cast than the number of persons who signed in on the poll book.

The task force has directed the recount director to reconcile these differences wherever possible. In order to do so, the recount director, in the presence of majority and minority staff and GAO auditors, has been reexamining balloting material in the possession of precinct officials on election day.

In some cases, the discrepancies have been reconciled. For example, in Vanderburgh County, the largest county in the eighth Congressional District, there were 11 precincts with discrepancies. After searching the balloting material in one precinct, a single ballot was found in the stack of secrecy envelopes. These envelopes are used by the voter to enclose his or her ballot before depositing it in the ballot box, to ensure its secrecy. That ballot, when added to the other ballots which were counted on election night in that precinct, caused the precinct totals to balance. And it is absolutely clear that

in processing the ballots on election night, that ballot was merely overlooked by the precinct officials. Despite an extensive search, the recount director was unable to find a basis for reconciling the remaining 10 precincts in Vanderburgh County.

And that brings me to an important point. The task force is operating, as I believe it should, on a presumption with respect to the administration of the election. The presumption is that of regularity. That is to say, in the absence of demonstrated facts, to the contrary, the task force has assumed that, in the administration of this and any other election, the normal range of administrative errors or omissions will lead to discrepancies in the number of ballots cast versus the number of persons who signed into the poll book in some precincts. The Vanderburgh precinct I mentioned earlier is just such an example. Had the pack of secrecy envelopes not been searched, the ballot would never have been included in the vote totals, and the precinct would have never been in balance.

Given the intense scrutiny which this election has received, it is amazing that the number of precincts slightly out of balance is so few, in the range of 40. Such discrepancies will show up in any election, and most of the discrepancies in this election will never be resolved, even after a thorough review of unreconciled precincts by the recount director, who is an experienced veteran in the administration of elections.

Two precincts were more out of balance than the others, one having 12, and the other having 15 more ballots cast than the number of persons who signed in on the poll books. In each of these instances, the task force directed the recount director, in the presence of majority and minority staff and GAO auditors, to test the lever machines used in each of the precincts, and to make inquiries as to how the machines were used on election day. The finding of the recount director was that the reconciliation questions posed by these two precincts could reasonably have been caused by numerous shortcomings in the administrative processes used by the county on election day. Based upon the presumption of regularity under which the task force is working, and in the absence of facts to the contrary, the variation of 12 and 15 in the two precincts from the number of persons who signed into the poll books does not vitiate the results from that county.

But this entire discussion about reconciliation is a bit of a red herring. The fact is that the House has gone back to the voting materials in the possession of the precincts' officials on election night, and has counted all of the ballots which it could find under a

uniform set of counting rules which did not vary from county to county. And the House recount has demonstrated beyond any doubt that there was no uniform set of counting rules which applied to the 15 counties of the Eighth Congressional District on election night.

Hence, whether or not each of the 400 plus precincts in the Eighth Congressional District is in balance, the House has examined, or will have examined by the end of the counting process, all the ballots which were in the hands of the precinct officials on election night. The House has no way to determine what the precinct officials did on election day, which may have caused too many or too few ballots to be in the ballot box in those precincts with discrepancies. The most frequent explanation proffered by the recount director is that precinct workers, during the course of the day, neglected to have one or more voters sign in, thus causing a discrepancy between the number of ballots cast and the number of persons who signed the poll book. But there were also instances in which there were more people signed into the poll book than there were ballots in the ballot box. Hence a ballot shortage discrepancy. Again, the explanation that some voter or voters chose to take their ballots with them rather than put them in the ballot box may be the reason for the shortage. But whatever happened on election day, you can be certain of one thing. The House recount teams have looked at each and every ballot in the hands of precinct election officials on election day, and have counted or not counted those ballots throughout the Eighth Congressional District under a consistent set of counting rules. So by the time the recount is done, the House will have examined all such ballots, and will have an accurate count of the number of ballots cast for each candidate. That is the number upon which the House can rely in deciding which of the candidates has the final right to the seat.

And that brings me to the third problem with which the task force has been confronted. The problem is one of determining how to deal with a class of ballots which were improperly sent to the precincts by at least 4 of the 15 county clerks, and were then mistakenly and inconsistently treated by precinct officials in such counties. By "inconsistently treated" I mean that most of such ballots were opened and cast by the precinct officials, and such ballots are not now segregable from other valid ballots which were put into the ballot box.

The reason these ballots should never have been sent to the precincts is that they were absent voter ballots which were deficient in either notarization, witnessing or signature, or some combination of these factors. In

most of the counties, those ballots were never sent to the precincts, so they never became integrated with other ballots at the precinct level. However in some counties, the precinct officials opened and voted the ballots. Hence the ballots are now scrambled up with the other ballots in that precinct, and are not segregable.

The question with which the task force was faced was how to deal with such ballots.

If all ballots in such a category were to be left out of the count, and those already in the count were to be thrown out, then some mathematical formula would have to be devised which would, in effect, arbitrarily disenfranchise voters merely to get the numbers to match. And such a mathematical formula would be difficult, and in some cases impossible to work out. For example, where there is one such ballot among other valid absent voter ballots, and you must therefore remove a single ballot, for which candidate do you remove a ballot? Or should this race be determined by just reaching in the hat and arbitrarily pulling out one such ballot. And are we perhaps thereby disenfranchising a voter who cast a perfectly valid ballot.

If all of such ballots were to be brought into the count, then the task force is faced with a similar dilemma. If such deficient absent voter ballots were not handled and maintained by the county clerks in a manner identical to other regular ballots, then there is no way of ensuring their integrity. In the instances where such ballots sent to the precincts, we know that they were treated with the sanctity accorded all other regular ballots. But those which were never sent to the precincts, and were retained in the clerks' offices, were not afforded the identical treatment as ballots which were sent to the precincts. By virtue of their being maintained in the clerks' offices, they were not afforded the identical treatment given to ballots sent to the precincts. But to ensure that like ballots are treated alike, the task force is asking each clerk to certify whether such deficient ballots, maintained by the clerks, were afforded identical treatment, in accordance with the statute, to those ballots sent to the precincts. If any were, then the task force will have to revisit its decision, and determine how to deal with such ballots.

So to summarize, the task force has met in Indiana to decide upon individual ballot questions—that is—whether or not such ballots should be counted under the uniform set of counting rules adopted by the task force. We have received reports, and have directed inquiry into precincts where there are reconciliation discrepancies, and expect to receive a report from the recount director at the conclusion of the counting. And we have made a deter-

mination to count ballots which were included in precinct materials on election night, even if they contain some technical deficiencies in notarization or witnessing.

As of this moment, I anticipate that the task force will convene on Thursday afternoon in Evansville, IN, to make the final decisions necessary for the recount director to render a final tally. I will keep you informed of any further developments as they are reported to me this week, and look forward to wrapping the counting up shortly.

The staff of the task force reports that the counting teams have been doing yeoman service. That was certainly my observation when I visited a counting location. They are making every effort to conclude the recount in the most expeditious manner consistent with accuracy. Having a count upon which the House can depend is essential to our responsibility to the Constitution, the House and the people of the Eighth District.

#### WORLD WOMEN PARLIAMENTARIANS FOR PEACE

(Mrs. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHNEIDER. Mr. Speaker, I would like to take a moment to share with my colleagues my experiences at the World Women Parliamentarians for Peace meeting recently held in Stockholm. This meeting was held to prepare for the U.N. Conference on the Decade of Women which is to be held in Nairobi in July. It is of extreme importance that the U.N. Conference address world peace—it is most appropriate that women members of parliamentary bodies are the moving force in this effort.

The Conference in Stockholm was marked by a lack of nationalistic fervor. We witnessed no threats, no posturing, no name calling. Rather, we participated in an informed discussion by people who are very concerned about the future of the world. We discussed peace, not only as the absence of international hostilities, but also as the need for social justice and equality for all people in all nations. We discussed the drain on world resources that is caused by the arms race, and the need for redirecting these resources to end hunger, homelessness, and illiteracy.

We left Stockholm with no delusions about the difficulty of the task facing us. But we left with a sense of urgency mixed with hope; a sense that the involvement of women in the search for peace is an absolute necessity.



# REPUBLICAN HYPE ON INDIANA EIGHTH CONGRESSIONAL DISTRICT ELECTION

(Mr. COLEMAN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COLEMAN of Texas. Mr. Speaker, isn't it amazing?

At first, the Republicans did not want to count all of the votes in the Eighth Congressional District of Indiana. Now they want to count 40 additional votes that were cast by people who cannot be identified.

Contrary to the indignant statements of the Republicans on the floor of this House, no one knew who won, nor by how many votes.

A bipartisan committee and the General Accounting Office auditors are working on a full and fair recount. Who opposed that? The Republicans on the floor of this House.

Blatantly false accusations by the Republican media campaign that the Democrats were planning to steal the election have been proven for what they are: political hype.

Let us count the votes of the voters of the Eighth Congressional District of Indiana and seat the winner.

## PROTECT SOCIAL SECURITY

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, during the last campaign, the President said he would cut Social Security only over his dead body. The President said he would permit a "cost-of-living adjustment to the Social Security recipients" even if inflation is below 3 percent. And he said he would "never stand for a reduction of the Social Security benefits to the people that are now getting them."

Yet, the President proposes to cut Social Security in his budget compromise with the Senate. Mr. Speaker, this is outrageous. Haven't our Nation's seniors suffered enough under this administration's budget cuts? The administration claims seniors must bear their fair share of the deficit reduction burden. What is fair about cutting Social Security and energy assistance and Medicare and Medicaid and elderly housing and nutrition programs at a time when our Nation's seniors are faced with rising utility bills, escalating medical costs, and higher food and housing costs?

This cut is simply wrong. Two years ago, we in the Congress passed legislation to assure the soundness of the Social Security system. Today that system is running a surplus. Why should Congress allow the President to hold Social Security hostage to the budget process. The Congress should refuse to balance the budget on the

backs of this Nation's elderly, and so should the President.

## MR. PRESIDENT, WHERE IS YOUR SENSE OF DECENCY?

(Mr. WEISS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEISS. Mr. Speaker, what in God's name is the matter with Ronald Reagan?

First he refuses to include a visit to the site of the Dachau concentration camp on his forthcoming trip to Germany. To do so, he says, would open old wounds.

But now Mr. Reagan says he will visit a German military cemetery which contains the graves of Nazi SS troops.

The President's sense of the appropriate is shockingly out of control. To refuse to honor the memory of the millions who were slaughtered by the Nazis in the Holocaust, but to pay respect to their executioners, dishonors all of those, including the many thousands of Americans, who fought and died in the battle against Hitler's evil forces.

Mr. President, where is your sense of history? Where is your sense of decency?

## NATIONAL TAX AMNESTY/DEFICIT REDUCTION ACT OF 1985

(Mr. BIAGGI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BIAGGI. Mr. Speaker, Benjamin Franklin once said, "in this world nothing is certain but death and taxes." However, the Treasury Department might dispute this statement as it relates to taxes. They estimate that for the tax year which ended yesterday, they will be cheated out of between \$89 and \$92 billion dollars by the "tax gap"—the difference between what they are owed in taxes and what they will be paid.

Both in response to this and to the urgent need to find ways to reduce our deficit, yesterday I introduced H.R. 2031, the National Tax Amnesty/Deficit Reduction Act of 1985. It provides for a 6-month amnesty during which time those Americans who have failed to pay their full tax obligations could come forward and pay and be free from civil and/or criminal penalties and forgiven of 50 percent of any interest penalty. Those who are involved in administrative or judicial proceedings before the IRS would be exempt.

Tax amnesty has worked with great success in 12 States. It has produced more than \$345 million in new State revenues from payment of overdue taxes by 200,000 individuals and businesses.

It is estimated that a 6-month national tax amnesty could produce \$20 billion in new revenues which could be applied directly to reducing the record deficit. It may be the only opportunity we have to raise new revenues without increasing anyone's taxes. Tax amnesty belongs in any deficit reduction plan we consider this year.

## DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON TOMORROW

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on tomorrow, April 17, 1985.

The SPEAKER pro tempore (Mr. AUCOIN). Is there objection to the request of the gentleman from Florida? There was no objection.

□ 1240

## HOURLY OF MEETING ON TOMORROW, APRIL 17, 1985

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has been concluded on all motions to suspend the rules.

## HELSINKI HUMAN RIGHTS DAY

Mr. FASCELL. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 15) to designate May 7, 1985, as "Helsinki Human Rights Day."

The Clerk read as follows:

S.J. Res. 15

Whereas this year will be the tenth anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe (hereafter in this preamble referred to as the "Helsinki Accords");

Whereas on August 1, 1975, the Helsinki Accords were agreed to by the Governments of Austria, Belgium, Bulgaria, Canada, Cyprus, Czechoslovakia, Denmark, Finland, France, the German Democratic Republic, the Federal Republic of Germany, Greece, the Holy See, Hungary, Iceland, Ireland,

Italy, Liechtenstein, Luxembourg, Malta, Monaco, The Netherlands, Norway, Poland, Portugal, Romania, San Marino, Spain, Sweden, Switzerland, Turkey, the Union of Soviet Socialist Republics, the United Kingdom, the United States of America, and Yugoslavia;

Whereas the Helsinki Accords express the commitment of the participating States to "respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion";

Whereas the Helsinki Accords also express the commitment of the participating States to "promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from the inherent dignity of the human person and are essential for his free and full development";

Whereas the Helsinki Accords also express the commitment of the participating States to "recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience";

Whereas the Helsinki Accords also express the commitment of the participating States in whose territory national minorities exist to "respect the right of persons belonging to such minorities to equality before the law, will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will, in this manner, protect their legitimate interests in this sphere";

Whereas the Helsinki Accords also express the commitment of the participating States to "recognize the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and co-operation among themselves as among all States";

Whereas the Helsinki Accords also express the commitment of the participating States to "constantly respect these rights and freedoms in their mutual relations and will endeavour jointly and separately, including in co-operation with the United Nations, to promote universal and effective respect for them";

Whereas the Helsinki Accords also express the commitment of the participating States to "confirm the right of the individual to know and act upon his rights and duties in this field";

Whereas the Helsinki Accords also express the commitment of the participating States in the field of human rights and fundamental freedoms to "act in conformity with the purposes and principles of the Charter of the United Nations and with the Universal Declaration of Human Rights" and to "fulfill their obligations as set forth in the international declarations and agreements in this field, including inter alia the International Covenants on Human Rights, by which they may be bound";

Whereas the Governments of the Union of Soviet Socialist Republics, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, and Romania, in agreeing to the Helsinki Accords, have acknowledged an adherence to the principles of human rights and fundamental freedoms as embodied in the Helsinki Accords;

Whereas the aforementioned Governments have not fulfilled their commitments to the Helsinki Accords by denying individ-

uals their inherent rights to freedom of religion, thought, conscience, and belief;

Whereas on May 7, 1985, a meeting of experts on human rights and fundamental freedoms will be convened in Ottawa, Canada, to discuss questions concerning respect for human rights and fundamental freedoms as embodied in the Helsinki Accords;

Whereas this meeting is called for in the concluding document of the Madrid Review Conference of September 9, 1983; and

Whereas this meeting will be attended by representatives of all Helsinki signatory nations: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—*

(1) May 7, 1985, the opening date of the Ottawa meeting of experts on human rights and fundamental freedoms, is designated as "Helsinki Human Rights Day";

(2) the President is authorized and requested to issue a proclamation reasserting the American commitment to full implementation of the human rights and humanitarian provisions of the Helsinki Accords, urging all signatory nations to abide by their obligations under the Helsinki Accords, and encouraging the people of the United States to join the President and Congress in observance of "Helsinki Human Rights Day" with appropriate programs, ceremonies, and activities;

(3) the President is further requested to continue his efforts to achieve full implementation of the human rights provisions of the Helsinki Accords by raising the issue of noncompliance with the Governments of the Soviet Union, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, and Romania at every available opportunity;

(4) the President if further requested to convey to all signatories of the Helsinki Accords that respect for human rights and fundamental freedoms is a vital element of further progress in the ongoing Helsinki process; and

(5) the President is authorized to convey to allies and friends of the United States that unity on the question of respect for human rights and fundamental freedoms is the most effective means to promote the full implementation of the human rights and humanitarian provisions of the Helsinki Accords.

SEC. 2. The Secretary of the Senate is directed to transmit copies of this joint resolution to the President, the Secretary of State, and the Ambassadors of the thirty-four Helsinki signatory nations.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from Florida [Mr. FASCELL] will be recognized for 20 minutes, and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Senate Joint Resolution 15 designates May 7, 1985, as "Helsinki Human Rights Day" and calls upon the President to issue a proclamation reasserting the commitment of the United States to full implementation of the

human rights and humanitarian provisions of the 1975 Helsinki Final Act.

This resolution unanimously passed the other body on March 28 and was ordered reported by the Committee on Foreign Affairs on April 3. The measure was also referred to the Committee on Post Office and Civil Service which I understand has no objection to it being considered here today. Senate Joint Resolution 15 is nearly identical to House Joint Resolution 132 which was introduced by our colleagues Mr. LANTOS and Mr. PORTER, the cochairmen of the congressional human rights caucus, along with 79 cosponsors.

Mr. Speaker, I am pleased to be the floor manager for this legislation. For almost the past 9 years, I have had the privilege of serving as chairman of the Commission on Security and Cooperation in Europe, known as the Helsinki Commission, which monitors Soviet and East European compliance with the human rights provision of the Helsinki accords. I have witnessed firsthand the importance of expressions of congressional support for human rights. We in the Congress must remain steadfast in our defense of human rights and redouble our efforts to draw the glare of international public opinion onto those governments that abuse the human rights of their citizens.

In this connection, Mr. Speaker, I would like to draw the attention of our colleagues to a report issued by the General Accounting Office last month on the work of the Helsinki Commission. The GAO found that "with a small professional staff, the Commission has: First, actively promoted a strong U.S. human rights policy in the Helsinki process; second, played a major role in planning and conducting U.S. Helsinki diplomacy; third, made itself a principal Western source of information on Soviet and East European violations; and fourth, helped resolve numerous family reunification cases for Eastern victims of Communist repression."

Mr. Speaker, I am extremely proud of the Commission's record and I would like to take this opportunity to offer my best wishes to the Commission's new Chairman from the other body, the distinguished Senator from New York, Senator D'AMATO, and to the new cochairman, our distinguished colleague from Maryland [Mr. Hoyer]. It is with a great deal of satisfaction and a tinge of regret I step down as Chairman although I plan to remain an active member of the Commission. Satisfaction over what we have accomplished and yet regret that the deplorable actions of Soviet and East European authorities—including the denial of religious rights, restrictions on emigration, and repression of human rights activists—necessitate the exist-



ence of the Commission. It is precisely these kinds of actions which also require constant and consistent expressions of congressional concern such as the resolution now before us.

Mr. Speaker, Senate Joint Resolution 15 is similar to a measure adopted by the Congress 2 years ago which designated August 1, the anniversary of the signing of the Helsinki Final Act, as "Helsinki Human Rights Day." The date change in this resolution was made to focus attention on the 35-nation Meeting of Experts on Human Rights that will be held in Ottawa, Canada, beginning on May 7, 1985. This special Human Rights Meeting was mandated by the Madrid Meeting of the Conference on Security and Cooperation in Europe and will be attended by representatives of the Soviet Union, all East European countries as well as the United States, Canada, and the West European nations.

By designating May 7, the opening day of this conference, as "Helsinki Human Rights Day" we will be strengthening the hand of the U.S. delegation and publicly supporting their efforts to achieve greater respect for human rights in all Helsinki countries.

Mr. Speaker, Senate Joint Resolution 15 calls upon the President to continue his efforts to achieve full implementation of the Helsinki accords' human rights and humanitarian provisions by raising at every available opportunity, both in bilateral and multilateral fora, the issue of Soviet and East European human rights violations.

The resolution also calls upon the President to enlist the support of our allies in promoting respect for human rights in Eastern Europe and the Soviet Union. Finally, the measure requests the President to communicate to the other 34 signatories of the Helsinki accords our position that respect for human rights is vital to further progress in the ongoing effort to achieve total compliance with the accords, thus making it clear that progress in human rights is an essential component of improved East-West relations.

Mr. Speaker, I commend the Senator from Arizona and one of the newest members of the Helsinki Commission, Senator DeCONCINI, for his initiative in introducing this legislation and I urge our colleagues to support the measure.

Mr. BROOMFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I offer my strong support of this joint resolution designating May 7, 1985, as "Helsinki Human Rights Day." This is an important commitment to the cause of human rights.

As my colleagues well remember, 10 years ago, the Helsinki accords were signed by numerous countries to include the Soviet Union and Eastern bloc nations.

The Helsinki accords clearly express the commitment of all participating states to respect human rights and fundamental freedoms. These accords also require that the participating states act in conformity with the principles of the Charter of the United Nations and with the Universal Declaration of Human Rights.

Unfortunately, the U.S.S.R. and many other Communist countries around the world are routinely violating human rights. These governments are denying individuals their inherent rights to freedom of religion, thought, conscience, and belief.

As called for at the Madrid Review Conference of 1983, a meeting of experts on human rights will be convened in Canada on May 7, 1985. Important questions concerning human rights will be discussed there. It is appropriate that the opening date of this Ottawa meeting be designated by Congress as "Helsinki Human Rights Day."

Our support for this joint resolution is an important message to the world about our strong support for human rights and the Helsinki accords. I call upon my colleagues in the House to join me in support of Senate Joint Resolution 15.

The administration supports enactment of Senate Joint Resolution 15.

□ 1250

Mr. FASCELL. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I rise in strong support of Senate Joint Resolution 15 and want to congratulate the chairman of the Foreign Affairs Committee, DANTE FASCELL, for his masterful caring, and courageous leadership. For over 7 years of the Commission on Security and Cooperation in Europe. The Helsinki Commission. I also want to commend the chairman for bringing this timely resolution to the floor for our consideration.

In addition to designating May 7, 1985, as "Helsinki Human Rights Day", Senate Joint Resolution 15 requests that the President convey to the other 34 signatory countries of the Helsinki Final Act the view that respect for human rights and fundamental freedoms is a vital element of further progress in the ongoing Helsinki process.

As you know, Mr. Speaker, the Final Act signed in Helsinki, Finland, in August of 1975, set forth guiding principles to govern relations among the signatory states. Though not legally binding, to the extent that we monitor and periodically review compliance or noncompliance, we institute a process

that may become politically binding and morally compelling.

The Helsinki process allows a context for serious, public debate on East-West issues. One of those issues, which is a legitimate international concern, is respect for human rights. The relevance and pertinence of human rights issues within the overall context of East-West relations should not be underestimated.

Respect for human rights—defined in principle VII of the Helsinki Final Act as "deriving from the inherent dignity of the human person and essential for his free and full development"—is made an essential principle guiding relations among the signatories.

Principle VII, which holds the signatories to certain levels of tolerance for individual beliefs and rights, and the implementing provisions of basket III legitimated the issue of human rights as an appropriate item of public discussion and negotiation within an East-West context.

One of the successes of the Madrid meeting under the expert leadership of Max Kampelman was the agreement to convene an expert's meeting in Ottawa, Canada, on May 7, 1985, to focus on the status of human rights in the participating states. This meeting is an integral part of the Helsinki process. I am committed to that process, for it affords us the unique and exciting prospect for promoting more human, political, social and cultural exchanges.

As cochair of the Helsinki Commission, I look forward to working in partnership with other Government agencies in Ottawa. With the effective and positive influence of nongovernmental organizations, I am hopeful that the Commission will contribute to the growth of confidence among nations and will play a role in bringing pressure to bear on the Soviet Union and other nations to comply with the Helsinki accords. As the Commission undertakes specific new commitments, I hope to continue the legacy of nonpartisanship left by Chairman FASCELL.

Mr. BROOMFIELD. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. GILMAN], a member of the committee.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding time to me, and I want to commend our distinguished chairman, the gentleman from Florida [Mr. FASCELL] and our ranking minority member, the gentleman from Michigan [Mr. BROOMFIELD], for bringing this measure to the floor at this time on the 10th anniversary year of the Helsinki accords, a particularly important year as we look back on what has been accomplished and what has yet to be accomplished.

Mr. Speaker, I rise in support of Senate Joint Resolution 15, legislation

designating May 7, 1985, as "Helsinki Human Rights Day," and requesting the President to continue our Nation's efforts to achieve full implementation of the Helsinki accords. I was pleased that the Committee on Foreign Affairs, of which I am a member, recently passed this measure, which was approved by the Senate.

The resolution before us outlines the obligations and commitments of states party to the Helsinki accords of 1975. The Helsinki Final Act underscores the commitment that these signatory nations are obliged to respect with regard to human rights—rights to freedom of movement, thought, religion, cultural exchanges, and freedom to emigrate. While the intent of the Helsinki agreement is clear, the Soviet Union and other Warsaw Pact nations have failed to implement the Final Act. Indeed, these nations have continued, and in a number of areas, accelerated their blatant denial of even the most basic human rights.

The Belgrade Review Conference (1977-78) and the Madrid Review Conference (1980-83), both of which I had the opportunity to participate in, underscored the intention of the U.S. and other nations committed to the full implementation of the Helsinki process, to bring life to the Final Act, and to maintain pressure on the Soviets and East Europeans to recognize and to fulfill their human rights obligations. A third followup is scheduled for November 1986, and as the resolution indicates in May of this year, a human rights expert meeting focusing on Final Act obligations and commitments will be convened in Ottawa.

Mr. Speaker, in January, I had the opportunity to travel to Moscow with a delegation of my congressional colleagues. During that visit, we met with a number of Soviet officials. In February, a number of my colleagues and I participated in discussions with a group of Soviet parliamentarians who had come to the United States. It was clear to me, during these discussions, as it had been during earlier meetings I had had with Soviet officials, that the subject of human rights is not a subject that the Soviets can discuss comfortably. No wonder, their record is abysmal, their defense utilizes mirrors, selective interpretations of international agreements, and a touch of Alice in Wonderland thrown in for good measure.

The Soviets maintain that they have fulfilled their obligations. Soviet Foreign Minister Gromyko stated during a rare press conference in Moscow in January of this year—following his meeting with Secretary Shultz—that "the Soviet Union is not in the habit of violating its commitments under treaties and agreements signed by it and other states, be it bilateral or a multilateral agreement. We take pride in this fact. Incidentally, the world is

used to this. When the Americans say that the Soviet Union's respect for the provisions of one agreement or another is doubtful, they are listened to, you know, rather with indifference, and no other state has ever made us any statements that such claims correspond to reality, no never. Our conscience is clear. We do not make agreements to break them, we fulfill them from beginning to end."

Politiburo Member Shcherbitsky, when he and his Soviet colleagues met with us in Washington last month, echoed a similar theme. He said, "In the Soviet Union we consistently observe all conventions and agreements, specifically Helsinki."

Against this backdrop, one must consider the reality of human rights abuses in the Soviet Union, abuses suffered not only by Jews, but by Christians and other minority groups. Concerning emigration and the case of Soviet Jews, the situation is particularly grave: The number permitted to emigrate has dropped precipitously—from 51,000 in 1979, down to 900 in 1984—while the Soviets engage in a systematic campaign of harassment of those seeking to emigrate.

Indeed, emigration has risen and fallen from 1971 to 1984, for example 34,700 in 1973 to 16,736 in 1977 to 51,000 as I indicated in 1980. Such movement can be chartered over the early years of détente, the Jackson-Vanik amendment on trade, the grain embargo, U.S. boycott of the Olympics, the Soviet invasion of Afghanistan, and the KAL shoot down. We can only speculate about the relationship between these events and rates of emigration.

Any request to emigrate today leads to loss of job, harassment, charges of parasitism, and imprisonment. Estimates place at close to 400,000 those Soviet Jews who have begun the emigration process and are now trapped in limbo. Of this number some 20,000 have been formally refused.

Mr. Speaker, we must not hesitate to continue to point out violations of the Helsinki agreement by the Soviet Union and any other nations which trample on human rights. We must continue to shed light on the terrible plight of those who can now only dream about the most basic of freedoms for themselves and for their families.

I have seen that dream in the eyes of those refused the right to emigrate, of those who suffer arbitrary harassment, and of those whose children are beaten in schools because their families adhere to certain religious beliefs. I believe that this measure will help to bring needed visibility to the Helsinki process and the basic freedoms and rights it is struggling to secure for millions who are denied these rights.

Accordingly, I urge my colleagues to suspend the rules and pass Senate

Joint Resolution 15, so that the Soviets and others who claim adherence to the Helsinki agreement will fully recognize that Congress is determined to bring some facts to the words of the Helsinki document.

□ 1300

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. SOLOMON], a member of the committee.

Mr. SOLOMON. I thank the gentleman for yielding time to me.

Mr. Speaker, in commending the gentleman from Florida [Mr. FASCELL] for his outstanding leadership as chairman of the Helsinki Commission, I rise in strong support of this resolution and now is a particularly appropriate time for us, as the representatives of the American people, to be making this statement.

At a time when new leadership has come to the Kremlin, and when arms control talks are underway in earnest in Geneva, it is incumbent on us to reaffirm the centrality of the human rights issue in the dialog between East and West. This resolution is a necessary declaration to that effect. Because, Mr. Speaker, there can be neither security nor cooperation in Europe until all of the signatories to the Helsinki Final Act—those signatories on both sides of the Iron Curtain—respect by word and deed those basic human rights and aspirations that are enumerated in that document.

It is also important for us, as free men and women, to use every opportunity we have to press the issue, to demand compliance by the signatories. This resolution seeks to make the Helsinki Final Act a living document, a living and powerful expression of the rights of man. Without continued vigilance on our part, including resolutions of this kind, the Helsinki Final Act could become merely an empty document, not worth the paper it is printed on.

And so I commend our distinguished chairman of the Committee on Foreign Affairs for expediting the consideration of this resolution. May 7 is the day that an important conference begins up in Ottawa and that conference will examine the developments these past years since the Helsinki Final Act was signed. It is most appropriate, then, for us to declare May 7 as "Helsinki Human Rights Day" and to mark that occasion with the necessary ceremonies and observation that it deserves. In such a way we are keeping faith with our own heritage as a free people, and we are offering hope to those still oppressed—we have not forgotten them.

I urge passage of Senate Joint Resolution 15.



Mr. BROOMFIELD. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. KEMP].

Mr. KEMP. I thank my colleague from Michigan for yielding.

Mr. Speaker, I rise to offer my strong support of this resolution proclaiming May 7 as Helsinki Human Rights Day, and to pay my deepest and most profound respects to the chairman, the gentleman from Florida [Mr. FASCELL], for the great effort that he has made as the chairman of the Commission over these early years of the Commission. I am proud to stand as a new member of the Commission, and I look forward to working with the gentleman from Florida [Mr. FASCELL] and the new chairman, Al D'AMATO, from our State.

I appreciate the remarks of the gentleman from New York who preceded me. I believe that there is no better way to stand in solidarity with the men and women of Central and Eastern Europe, and particularly the Jews and Christians and the dissidents of the Soviet Union, than by overwhelmingly and unanimously passing May 7 as Helsinki Human Rights Day.

May 7, the day we have chosen to commemorate Helsinki Human Rights Day, is the opening day of the Ottawa Human Rights Experts Meeting. 1985 marks an important year in the Helsinki process as we celebrate the 10th anniversary of the signing of the Helsinki accords. This is also an important time for me personally, as I have just been appointed to the U.S. Helsinki Commission.

Yesterday, former Helsinki Commission chairman, DANTE FASCELL, turned the gavel over to my good friend and colleague, Senator AL D'AMATO. Chairman FASCELL and his staff have been universally acclaimed for the fine work they have done in monitoring and furthering the goals and mandates of the Commission. I would like to reiterate my congratulations and appreciation for his outstanding leadership of the Commission for the past 8 years.

The accords on Security and Cooperation in Europe signed at Helsinki, Finland, in 1975 established a framework for the 35 participating states to resolve the humanitarian, economic, political and military issues which divide Europe. It also called for periodic meetings, one of which is scheduled to begin on May 7 in Ottawa on the subject of human rights and fundamental freedoms.

Each signatory country established an organization at home to monitor the process. Some of these monitoring groups were official, such as ours, and their members have been honored for their hard work and achievements. But some were unofficial, such as the Soviet Union's, whose members were subsequently jailed and exiled on charges of anti-Soviet agitation and

propaganda. Only two of the original 50 members of the Soviet Helsinki Watch group stayed out of jail, and they did this by publishing a document in 1982 stating that the watch had been disbanded.

In other words, in the Soviet Union the very organization constituted to monitor observance of the accords became a victim of Soviet violations of their obligations thereunder.

It is bitterly ironic that this should happen. This is exactly the type of repressive antihumanitarian activities we have vowed, by treaty, to eliminate. I look forward to working with former Chairman FASCELL, Chairman D'AMATO, and my colleagues on the Commission here in the U.S. and in the other 34 signatory countries to achieve the mandates of the Helsinki accord. Let's start by proclaiming May 7 Helsinki Human Rights Day.

Mr. FASCELL. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. LANTOS].

Mr. LANTOS. I thank the gentleman for yielding.

Mr. Speaker, first I would like to pay public tribute to Chairman DANTE FASCELL for the phenomenal way he has set the course for the Helsinki Commission. With dedication, commitment, and judgment he has set a pattern which will, for years to come, establish the Helsinki Commission as a serious organization determined to protect human rights and to insist that human rights violations cease, in accord with the Helsinki accords.

Mr. Speaker, as we sit down with the Soviet Union in Geneva to deal with the question of arms control, arms reduction, and disarmament, the persistent failure of the Soviets to observe the Helsinki accords must be uppermost in our minds. There is no way the Soviet Union can gain credibility to observe arms treaties in Geneva unless they observe human rights commitments they have made. The pattern of violations, which we have seen over the years, in direct defiance of international treaties agreed to by the Soviet Union, does not auger well for the Geneva arms control and disarmament negotiations.

The American people must ask the simple question: If the Soviet Union has set its signature to the Helsinki accords and has persistently violated it, what guarantees do we have that they might not violate disarmament and arms control agreements?

As one who is profoundly committed to arms control and disarmament so that we might diminish the threat of a nuclear holocaust, I strongly urge the Soviet Union, as we begin the second decade of the Helsinki accords, to move in the direction of improving its human rights performance.

The Congressional human rights caucus is monitoring the acts of the

Soviet Union in this field, and we are deeply concerned that unless dramatic improvements occur in the near future, the hope that the new Soviet leader has brought to the whole world for a change in policy will be a vain and unrealized hope.

It is appropriate for us to approve this resolution. But it is even more important for us to recognize that Helsinki is not a symbolic act. It deals with the lives of millions of human beings who are crying out for fundamental human rights in the Soviet Union—rights which have thus far been denied them.

I hope that in the second decade of the Helsinki accords there will be a more proper adherence to the agreements reached at Helsinki and we will be able to place confidence in negotiations that we have with the Soviets on other matters.

I urge my colleagues to approve the resolution.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Speaker, I rise to commend my colleague, the chairman of the Foreign Affairs Committee for offering this resolution and for his continuing leadership and commitment throughout his long congressional career to the cause of human rights throughout the world.

I commend also my colleague, the gentleman from Maryland [Mr. HOYER], and, in the other body, Senator D'AMATO, the new chairman of the Helsinki Commission, and the sponsor of this resolution in the Senate, Senator DECONCINI, for their work on behalf of human rights.

This resolution marks May 7, 1985, as Helsinki Human Rights Day to coincide with the opening of a 6-week meeting in Ottawa to discuss compliance with the human rights provisions of the accords.

As a new member of the Commission on Security and Cooperation in Europe, a founding member of the International Parliamentary Group on Human Rights in the Soviet Union [IPG], and as founder and cochairman with my very distinguished colleague from California [Mr. LANTOS], of the congressional human rights caucus, I will be proud to participate with my colleagues in this important process.

I think that we have to remember that not only do we in governments in the western world have a commitment to the Helsinki process but, most importantly, the oppressed peoples in the Soviet Union and in Eastern Europe, have made such a commitment. Many voluntary monitoring groups were established throughout the Soviet Union and in Eastern Europe after the accords were signed in 1975, with great personal risk to the individuals involved, who have suf-

ferred harassment, repression and persecution, including imprisonment and incarceration in psychiatric hospitals, for their commitment to see that their countries carry out the provisions of these accords.

We will bring to the process at Ottawa many of the cases that have come to our attention, the matters of Viktor Savelev of Georgia, imprisoned recently for simply transporting unauthorized Baptist materials, the matters of Pavel Vezikov, of Estonia, of Rudolf Battek, of Czechoslovakia, the repression of Turks in Bulgaria by their government—all of these will be brought by us to the table at Helsinki to bring before the Soviet Union and Eastern European nations the instances of their noncompliance with the Helsinki accords.

This resolution is an important expression of Congress' support for human rights. I urge its adoption.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. GINGRICH].

Mr. GINGRICH. Mr. Speaker, I want to commend the committee and I want to commend the Commission but I want to raise, I think as the next level of Western concern for human freedom, an underlying problem that the Commission is going to run into, and I cite and recommend to the Commission members to read the State Department publication, Grenada Documents, An Overview and Selection.

The problem for Western thought in dealing with the Helsinki accords is the fact that the Soviet Union is a system which honestly and sincerely believes in Marxism and Leninism and that Marxism and Leninism is a system which systematically oppresses human beings for the power of an elite.

□ 1310

I would suggest that anyone who reads the Grenada Documents, which is the first time we have ever captured a Communist government's and a Communist party's records, will discover things such as, for example, Maurice Bishop's statement, and I quote from his secret speech, "The Line of March of the Party":

Laws are made in this country when Cabinet agrees and when I sign a document on behalf of Cabinet. And then that is what everybody in the country—like it or don't like it—has to follow. Or consider how people get detained in this country. We don't go and call for no votes. You get detained when I sign an order after discussing it with the National Security Committee of the Party or with a higher Party body. Once I sign it—like it or don't like it—its up the hill for them.

The point is, when you read this document, including Embassy reports from Moscow, training agreements with the Soviet Union, reports by the Cuban Emissaries, the Soviet system and Marxism-Leninism is a systematic

approach to the oppression of human beings.

Having a Helsinki accord with the Soviet Union is comparable to having a Helsinki accord with Nazi Germany. The challenge to the West is, once you really understand that they are systematically and deliberately oppressing human beings, then what? Do you continue the public relations charade? Do you vote through "Days of Remembrance"? In what way, effectively, do we in the West force a study of human rights violations by a system whose current leader, Gorbachev, was the handpicked choice of Andropov who spent 15 years as the head of the KGB, the secret police, locking people up, and who invented the practice of appointing political prisoners to serve in mental institutions.

Mr. BROOMFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. I thank the gentleman for yielding me this time.

Mr. Speaker, I, too, want to say to the committee that I think that this resolution is fine; it should be passed. But the question that you have to raise is: Just what are we doing with the resolution? The question comes up because this resolution is aimed at telling our President that he ought to request full implementation of human rights; that we ought to move forward in trying to get the Soviets to comply with Helsinki.

We say flatly in this resolution that the Soviets are in noncompliance with Helsinki. We all know that; absolutely. So we are passing this resolution to say, well, they ought to get into compliance.

Are they going to listen to this resolution? Is this resolution going to do that much good? What we are dealing with here is brutal, murdering liars. They brutally murdered Major Nicholson. We pulled that resolution off the calendar today. Then we say in this resolution that they are in noncompliance with Helsinki, which proves that they are liars. That is what we are dealing with.

The question is whether we pass resolution like this after resolution like this, whether or not we are going to get the message across. Now, it seems to me what we have got to begin to do is deal with them firmly in a way which suggests that we are not going to put up with this nonsense any more. That we are going to do more than simply pass resolutions that condemn them. We are going to do more than simply say to our President that we ought to say to them that they ought to get into compliance.

It is high time that we develop a policy in this Congress something which really means something to them. That we do take the steps that are needed to have a defense that the Soviets are concerned about. That we

do not treat them as though they are good actors in the world; they are not. They are brutal, murdering liars who need to be treated that way by this House.

This resolution simply says that it is time that they get into compliance and so on, and we ought to proclaim a day to do it. Fine. But it seems to me we have got to do a lot more.

● Mr. MILLER of California. Mr. Speaker, I rise in strong support of Senate Joint Resolution 15, which would designate May 7, 1985, as "Helsinki Human Rights Day."

We have just returned from a very historic mission to the Soviet Union, where we met with the new leadership of that nation. We discussed several of the most important issues which stand between our two nations.

As the chair of the human rights task force during our trip, I raised with our Soviet hosts very troubling record of the Soviet Union with respect to human rights and the persecution of Soviet Jews and other religious and cultural minorities within that country.

The failure of the Soviet Union to abide by the terms of the Helsinki Final Act raises very serious concerns in the Congress of the United States. As I told the Soviet leaders, if we cannot trust you to abide by the terms of a treaty assuring human rights to those who pose no real threat to Soviet security, how can we trust you to abide by an arms control treaty whose violation could endanger the security of all our citizens, and the future of the entire planet?

The issue of human rights does not just apply to the Soviet Union. In South Africa, in Central America, in Eastern Europe—in far too many nations around the world, governments disregard fundamental human rights. No government, least of all our own which has the strongest historic commitment to human liberty, should ignore those abuses.

This resolution (S.J. Res. 15) proclaims that respect for human rights and fundamental freedoms is a vital element of further progress in the relations between nations. It is an indispensable item on the American agenda; it cannot, and it will not, be bargained away or muted. On that, all of us in this Chamber—Democrat and Republican, liberal and conservative—are in full agreement.

For as Thomas Jefferson wrote nearly two centuries ago:

The God who gave us life gave us liberty at the same time. The hands of force may destroy, but cannot disjoin them.

Mr. Speaker, I am very hopeful that the negotiations which occurred in Moscow and Leningrad this last week will help pave the way for improved relations between the Soviet Union and the United States. And I am simi-



larly hopeful that the forthcoming meetings in Ottawa will serve to reinforce the basic importance of human rights and freedom among all nations.

I urge all Members of this House to vote in favor of this resolution, and I urge the President to issue this proclamation declaring once again the commitment of this Nation to full implementation of the human rights and humanitarian provisions of the Helsinki Final Act.●

● Mr. SMITH of New Jersey. Mr. Speaker, I rise today in strong support of Senate Joint Resolution 15 designating May 7, 1985, as Helsinki Human Rights Day. I am proud to have cosponsored this important resolution.

For a 6-week period, beginning on that day, representatives of the 36 nations which signed the Helsinki Final Act will meet in Ottawa to discuss compliance with the historic human rights provisions of that agreement. Signed in 1975 by the United States, Canada, the Soviet Union and 33 European nations, the Final Act was a vital step forward in the international human rights movement. Not only does the document commit the signatories to respect fundamental human rights such as family reunification, but for the first time it committed all of us to convene periodically to review each nations' progress in implementing the accords.

The Ottawa meeting has been scheduled to specifically address the human rights provisions of the Helsinki Final Act. In Principle VII of the agreement, the signatories agreed to respect human rights and fundamental freedoms, including freedom of religion, thought, conscience and belief. The Ottawa meeting has been scheduled at the insistence of the Western nations, I might add it is no surprise, Mr. Speaker, that the Soviet Union and its Eastern European allies were extremely reluctant to attend such a meeting.

The countries of the Eastern bloc have tragically failed to uphold their commitments to respect these fundamental freedoms. Since the Madrid followup review ended in 1983, the Soviets, for example, have escalated their brutal war against the people of Afghanistan. They have killed 289 innocent civilians by shooting down a civilian airliner. And their campaign against their own citizens who dare to practice their religion or to speak out in favor of human rights ranks among the most systematic and repressive programs in recent history.

The plight of Jews in the Soviet Union stands out as perhaps the most glaring example of Soviet disregard for their solemn commitment to observe fundamental human rights. Emigration of Soviet Jews has declined from 51,320 to less than 1,000 in a matter of 5 years, Mr. Speaker. This steady decline has been accompanied

by a brutal and pervasive campaign of anti-Semitism resulting in the arrests of Hebrew teachers, the wide dissemination of vicious propaganda, the harassment of thousands of believers, and the denial of countless applications for exit visas on spurious grounds.

And sadly, Mr. Speaker, this campaign is only one aspect of Soviet disregard for human rights—fundamental rights which they agreed to uphold in 1975 at Helsinki, in 1977 at Belgrade, and most recently in 1983 at Madrid. And now we are meeting again, this time to discuss human rights explicitly. Some might ask why we continue to support the Helsinki process when it appears our efforts to improve the lives of human rights activists in Eastern Europe have apparently reaped few benefits.

On the eve of the Ottawa meeting, I would like to defend this ongoing progress to those who might question its impact. As a member of the U.S. (Helsinki) Commission on Security and Cooperation in Europe, I have followed the process with great interest. During that time I have come to realize that without question, the Helsinki process provides us with an invaluable forum to discuss violations of human rights. Moreover, it has given us a set of standards to which all have agreed and all can and must be held accountable. It has survived the inevitable episodes of decline in East-West relations, providing an ongoing forum where allied and nonallied nations may discuss their differences openly.

But the factor which has truly convinced me that this process must continue, and that it does indeed have lasting value and impact, is the deeply held belief in the East that the Helsinki process has eased the plight of human rights activists in these nations. The issue of human rights is now in the forefront of the international debate, thanks largely to the periodic review meetings. These discussions have legitimized international action and provided an indispensable forum to criticize violations, applaud improvements, and monitor compliance in general. Millions of Eastern Europeans have taken heart in the human rights provisions of the Final Act. Activists have testified again and again as to the significance of this agreement, a unique and unprecedented means of publicizing violations of basic human rights principles.

I think it is fitting, Mr. Speaker, that we recognize the great significance of the Ottawa Human Rights Experts Meeting, and the Final Act in general, by designating May 7, 1985, as Helsinki Human Rights Day.

It is an excellent opportunity for the United States to reassert its commitment to fundamental human rights. It is my sincerest hope that the passage of this resolution will improve the prospects for a fuller implementation

of the Helsinki accords, and I urge its approval by my colleagues.●

● Mr. CONTE. Mr. Speaker, I rise in support of Senate Joint Resolution 15, a resolution to designate May 7, 1985 as "Helsinki Human Rights Day."

On May 7, a meeting will convene in Ottawa, Canada to review progress in implementing the Helsinki accords. Unfortunately, that meeting will reveal continued noncompliance by a number of signatory nations.

Last week, for example, Jewish people all over the world celebrated Passover—all over the world, that is, except in the Soviet Union. It is more than symbolic to note that it is impossible for Soviet Jews to celebrate Passover, which commemorates the struggle of the Jews from slavery to freedom, without fear of harassment, arrest, or persecution by the government. The restrictions on emigration rights is further testament to the realization that, as Passover 1985 passed, the struggle for religious freedom continues in the Soviet Union.

But the plight of the Soviet Jews, unfortunately, is not an isolated example. Press restrictions, imprisonments without due process, torture, and countless other violations of human rights exist throughout the Soviet Bloc and in many Latin and South American countries, death to dissenters is the "modus operandi" of the Khomeini regime in Iran, a genocide of the Afghan people is being perpetrated by the Soviet occupation force, and the Marxist Ethiopian Government spends millions of dollars on its 10th anniversary while its people starve.

Yes, the struggle for human rights continues, but the world is a better place with the Helsinki accords. The accords serve as a beacon of hope for oppressed people everywhere, and this resolution is an important statement of continued U.S. support for the accords ideals. Senate Joint Resolution 15 tells the world that we continue to support a higher moral order and that violations by signatory nations will not, and must not, go unnoticed.

Mr. Speaker, I have a meeting scheduled at the White House shortly to brief the President on our just-completed trip to the Soviet Union. Given that commitment, I may miss the vote on this resolution. I endorse wholeheartedly Senate Joint Resolution 15. However, and urge the support of my colleagues. Let May 7, 1985 be designated "Helsinki Human Rights Day" and let the American people through our President, condemn the self-righteous pronouncements on human rights by Helsinki violators. We must continue to play our role in the "Helsinki process," a process that we confidently believe will ultimately achieve the goal of human rights, freedom and justice throughout the world.●

Mr. FASCELL. Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

Mr. BROOMFIELD. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. FASCELL] that the House suspend the rules and pass the Senate joint resolution, Senate Joint Resolution 15.

The question was taken.

Mr. BROOMFIELD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the Senate joint resolution just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### EXPRESSING SENSE OF CONGRESS THAT TAIWAN SHOULD CONTINUE TO COOPERATE IN THE CASE OF HENRY LIU AND TO CONCLUDE AN EXTRADITION AGREEMENT

Mr. SOLARZ. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 110) expressing the sense of the Congress that the authorities on Taiwan should continue to cooperate fully in the case of Henry Liu and that an extradition agreement should be concluded between the American Institute in Taiwan and the Coordination Council for North American Affairs.

The Clerk read as follows:

#### H. CON. RES. 110

Whereas Henry Liu, a United States citizen of Chinese ancestry, was murdered in Daly City, California, on October 15, 1984;

Whereas certain citizens of Taiwan have been, and others may be, charged by authorities in the United States in connection with this crime;

Whereas certain citizens and government officials of Taiwan, including Vice Admiral Wang Hsi-ling, head of the Intelligence Bureau of the Ministry of National Defense, have been indicted in Taiwan for involvement in the murder of Henry Liu;

Whereas Taiwan has requested on numerous occasions that an extradition agreement be concluded with the United States; and

Whereas an extradition agreement with Taiwan would improve the administration of criminal justice in the United States: Now therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the American Institute in Taiwan and the Coordination Council for North American Affairs should take imme-*

diately steps to conclude an extradition agreement which meets the best interest of both sides.

SEC. 2. It is further the sense of the Congress that—

(1) inasmuch as legal proceedings against several of the individuals charged with the murder of Henry Liu are currently underway in Taiwan, justice be done under the laws of Taiwan;

(2) the authorities on Taiwan should cooperate fully with authorities in the United States in the investigation and prosecution of the case of Henry Liu; and

(3) following the current proceedings in Taiwan referred to in paragraph (1), the authorities on Taiwan should exercise the powers they may have, under all applicable law—

(A) to bring to justice any other individuals who may be criminally liable in accordance with law in connection with the murder of Henry Liu; and

(B) to send to the United States, under appropriate legal processes, any citizen of Taiwan, and any other person in Taiwan, who is charged by authorities in the United States in connection with the murder of Henry Liu, and whose transfer to the United States is requested by authorities in the United States.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from New York [Mr. SOLARZ] will be recognized for 20 minutes and the gentleman from Iowa [Mr. LEACH] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on October 15, 1984, an American citizen of Chinese descent by the name of Henry Liu, was brutally murdered at his home in Daly City, CA. It subsequently turned out that the assassins of Henry Liu were citizens of Taiwan who had been recruited, trained, and dispatched to the United States by authorities of the Government of Taiwan in order to execute Henry Liu.

Henry Liu's crime, it appears, is that he was a known critic of the Government of Taiwan. Now, I know there are differences of opinion in this House about the nature of the regime on Taiwan. But of one thing I am sure all of us agree: That is that here in the United States, we cannot accept, we cannot tolerate, we cannot forgive efforts by foreign authorities to intimidate and, indeed, to eliminate, American citizens on American territory.

The law enforcement authorities in California have charged two Taiwanese citizens, Chen Chi-li and Wu Tun, with responsibility for this foul deed. The U.S. Government has requested the authorities on Taiwan to deliver these two individuals to the United States so that they can be put on trial before the appropriate judicial authorities in our own country.

The U.S. Government has also asked the authorities on Taiwan to cooper-

ate with us in the investigation of this crime. I want to acknowledge this afternoon that, so far, the authorities on Taiwan have complied with all of the requests that we have made for their cooperation in the investigation of this crime except one. That is that they have so far refrained and refused to extradite these two individuals to the United States.

Subsequent to the indictment of these two hired guns by the law enforcement authorities here in the United States for their involvement in the murder of Henry Liu, it turned out that the authorities on Taiwan themselves acknowledged that the murderers had been recruited for this assignment by Admiral Wang, who is the head of the Bureau of Military Intelligence, and both Admiral Wang and two of his associates in that bureau have been, as I understand it, indicted by the authorities on Taiwan for their complicity in this affair.

The resolution before us today expresses the sense of the Congress that the authorities on Taiwan should fully cooperate with the United States in our efforts to make sure that justice is done in this affair, and to extradite to the United States, in compliance with the appropriate legal processes and procedures in Taiwan, those individuals who have been accused of involvement in this affair by the duly-constituted law enforcement authorities of California and of our own country.

□ 1320

The resolution also calls for the negotiation of an extradition agreement between Taiwan and the United States so that a formal arrangement can be put in place to deal with problems like this in the future. There are some who have said that Taiwan, in the absence of an extradition treaty, lacks the authority to deliver the individuals involved to the United States. Yet it is the belief of the Committee on Foreign Affairs, based on a memo submitted to us by the Law Division of the Library of Congress, that within the framework of Taiwanese law, the President of Taiwan retains the residual authority, if he chooses to use it, to deliver the individuals involved to the United States.

It is our feeling that if justice is going to be ultimately done in the case of the murder of Henry Liu, it will be important to the individuals accused of responsibility for his assassination to be tried not just in Taiwan but here in the United States as well.

We need to know not simply who is responsible for pulling the trigger, but who is responsible for giving the order that ultimately led to the murder of Henry Liu.

So I want to urge my colleagues in the House to support this resolution. It has been modified in a number of



ways to meet the concerns which were expressed both in our subcommittee and in the full committee by some of my good friends such as the gentleman from New York [Mr. SOLOMON] and the gentleman from Illinois [Mr. HYDE].

I believe that the final product reflects their concerns as well as ours and that this resolution does have broad bipartisan support.

Let me just say in conclusion that all of us, without exception, not only object to what happened to Henry Liu; all of us without exception are not only deeply dismayed by what happened to Henry Liu; but all of us, I believe, recognize that the future relationship between Taiwan and the United States requires a cessation of any efforts on the part of the authorities on Taiwan to intimidate people in the United States. This kind of behavior is simply not acceptable, particularly between friendly governments, and I think that the adoption of this resolution expressing the sense of the Congress on this issue will make it very clear to the authorities on Taiwan that we are concerned about what happened and that we seek their continuing cooperation in making sure that justice is done in this matter.

Mr. Speaker, I reserve the balance of my time.

Mr. LEACH of Iowa. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I fully endorse everything that the distinguished chairman of the Subcommittee on Asian and Pacific Affairs, the gentleman from New York [Mr. SOLARZ], has indicated and would like to present a little different and larger perspective on the issue that relates a little bit beyond just simply the murder of an American citizen, Mr. Henry Liu.

Mr. Speaker, I rise in support of House Concurrent Resolution 110 which expresses the sense of Congress that the authorities on Taiwan should cooperate fully in the case of Henry Liu and that an extradition agreement should be concluded between the American Institute in Taiwan and the Coordination Council for North American Affairs.

I want to commend the gentleman from New York, [Mr. SOLARZ], and the gentleman from Florida, the chairman of the full committee [Mr. FASCELL], for bringing this resolution before the House. I also want to take this opportunity to commend the gentleman from New York [Mr. SOLOMON], who is a member of the Subcommittee on Asian and Pacific Affairs, for having first recommended that the resolution not only touch on the Henry Liu case but also urge that an extradition agreement be concluded between the American Institute on Taiwan and the Coordination Council for North American Affairs.

It should be noted that the resolution is supportive of and consistent with administration efforts to obtain the return to the United States of those individuals in Taiwan who have been charged by American authorities in California with the murder of Henry Liu. In addition, the Foreign Affairs Committee has also received written comments from the Department of State stating that it has no objection in principle to the conclusion of an extradition agreement between AIT and CCNAA. The Department notes, however, that concluding such an agreement will involve complex negotiations with potential problems of implementation and questions about the appropriate legislative authority required.

The murder of Henry Liu poses potentially grave ramifications for future United States-Taiwan relations. The indictment of Vice Adm. Wang Hsi-Ling, head of the Intelligence Bureau of Taiwan's Ministry of National Defense, and other Government officials for involvement in the murder of Henry Liu is extremely disturbing. The notion that a foreign government may have attempted to silence an outspoken critic and extend the control over free expression it maintains internally on the island into the United States itself is an insult to our constitutional heritage.

It was not long ago, in 1981, that Congress held hearings on the death of Dr. Chen Wen-Cheng, an assistant professor at Carnegie Mellon University, who was found dead under suspicious circumstances following interrogation by Taiwan Government officials during a visit back to his homeland. At that time, it was the hope of concerned Members of Congress that the congressional hearings, efforts by the FBI and State Department, and the subsequent enactment of legislation barring arms sales to governments engaged in harassment and intimidation of individuals in the United States would effectively deter any future such conduct—either on the part of the Taiwan Government or any other government.

Sadly, the murder of Henry Liu demonstrates otherwise and we have seen not an end to but a more blatant example of the silencing of dissent on foreign soil.

Although the United States may have a national interest in maintaining warm relations with certain governments which do not protect as assiduously as we the civil liberties of their citizens, such relations should not provide opportunity and temptation to such governments to abridge the rights guaranteed by the U.S. Constitution to individuals—citizens and aliens alike—residing within our borders.

The protection and guarantees of the U.S. Constitution are not negotia-

ble. The Taiwan Government has been effectively on notice since 1981 that any action taken by their agents against any individual in this country who is engaged in the lawful exercise of his or her civil and constitutional liberties would seriously jeopardize the warm relations between our governments.

Although Taiwanese authorities have convicted and sentenced two of the individuals charged by U.S. authorities with involvement in Henry Liu's murder and have permitted U.S. law enforcement officials to interview certain individuals in Taiwan implicated in Mr. Liu's death, Congress continues to expect the Taiwan Government to respond appropriately to all U.S. Government requests on this matter. More importantly, Congress expects the Government on Taiwan to cease and desist from interfering with any individuals freely exercising their civil liberties in this country. Failure to do so may result in congressional action to exercise appropriate prerogatives regarding United States-Taiwan relations. As I suggested in testimony before the Asian and Pacific Affairs Subcommittee on the Dr. Chen case back in 1981, if there continues to be evidence of espionage or harassment by Taiwan agents in the United States, the State Department should give serious consideration to cutting back the current number of CCNAA offices in the United States, which have grown from eight to eleven since the enactment of the Taiwan Relations Act.

In addition, the Department should consider requesting the withdrawal of all Taiwanese Government personnel who may be part of the intelligence services implicated in the ordering of the murder of this U.S. citizen. The conduct alleged in the case before us—of government sanctioned murder—is not the conduct of friends. Actions—not words—will be the response Congress will be looking for in the days ahead.

There are perhaps two larger lessons to be drawn from the issue before us today. First, the murder of Henry Liu emphasizes anew the stark reality of the institution of martial law in Taiwan—the intolerance it breeds for dissent both at home and abroad—and the comfort it provides those who subscribe to a doctrine of national security which subordinates basic respect for law and human rights to the self-interest of ruling authorities. As long as the broad brush of national security can be used to gloss over the excesses of the state, there can be no guarantee in the future that murderous acts will not reoccur. Nondemocratic governments which refuse to submit themselves to a genuine test of popular will are more easily seduced by the temptations of personal power and operate with far fewer of the restraints, checks

and balances which democratic governments, like our own, must respect.

The murder of Henry Liu must be seen in this larger context and the Government of Taiwan urged once again to repeal marital law and restore to the people of Taiwan a fully functioning democratic system.

Second, this incident underscores the need for Congress to take another look at the steps taken by our own Government since our hearings in 1981 to ensure that individuals of foreign descent in the United States are fully protected in the exercise of their civil and constitutional rights. The death first of Dr. Chen and now of Henry Liu, not to mention the years of less publicized accounts of harassment and intimidation of Taiwanese students on American campuses, have left everyone of Taiwanese descent living in America with a chilling message.

Tragically, they are not the first or only ones to have felt the terror of the long arm of a foreign government. Other aliens and U.S. citizens of foreign descent have too frequently been coerced by agents of foreign governments over the years. The activities of the Iranian Savak and the KCIA against Iranians and Koreans in the United States, particularly in the 1970's, have been well documented in congressional hearings and other public records. The assassination on the streets of Washington of the former Ambassador from Chile, Orlando Letelier, led to a U.S. grand jury indictment against agents associated with DINA, the Chilean secret police. And, prior to the expulsion of the Libyan diplomatic delegation from the United States in 1981, Libyan students living in the United States were also targeted by their home government.

The case with the most striking similarities to that of Henry Liu, however, goes back to the 1950's, when Jesus de Galindez, a Spanish exile who taught in the Dominican Republic before coming to the United States, was murdered for writing as Henry Liu did a book critical of a foreign head of state. Galindez, an instructor at Columbia University, wrote his doctoral thesis on Trujillo.

Agents of the Trujillo government in the Dominican Republic reportedly offered to buy Galindez's writings before they could be published but, like Henry Liu, who was likewise reported to have received similar offers to temper his description of Chiang Kai-shek and his family from Taiwan agents, he refused. Accounts of the Galindez case are not entirely clear. But it appears that he was kidnapped from his home in New York, drugged and flown secretly one night to the Dominican Republic never to be heard from again.

The Galindez incident became a cause celebre in Congress and caused a fundamental reassessment of our Gov-

ernment's policy toward the Trujillo regime in the Dominican Republic. Unless full accountability is established for this crime, a similar reassessment may occur toward the Government on Taiwan.

Mr. Speaker, this Congress does not want to hold more hearings and consider more legislation on this subject in the years to come. It is time to put an effective end to hostile acts of murder and censorship on U.S. soil. Congressman SOLARZ, Congressman MINETA and I have written to the House Intelligence Committee to request a full investigation into the extent of activity by foreign governments in the United States who harass and intimidate individuals exercising their civil and constitutional rights, as well as into the effectiveness of existing laws and the need for additional remedies.

In this regard, I want to commend the State Department, the Justice Department and the authorities in California, particularly the Daly City police, for their diligent efforts to pursue justice in this case and urge my colleagues to give their unanimous support to House Concurrent Resolution 110 in an effort to show the solidarity of the U.S. Congress in support for the concerns of Americans of Taiwanese descent. American civil liberties must never be considered fickle and less applicable to immigrants from an Asian or African country than to emigres from Northern Europe.

Finally, lest my colleagues think we are talking about an abstract problem, I would like to bring to the attention of the House the case of a leading citizen of my State of Iowa, Hualing Engle, a Chinese-born American novelist, married to one of America's most respected poets and founder of the University of Iowa's Writer's Workshop, Paul Engle.

Last fall, Hualing received an anonymous death threat because in a recent novel she apparently was not critical enough of the People's Republic of China, even though her father was executed by Mao Tse-tung, her brother killed while serving in the Taiwan Air Force, and she herself was a refugee who fled to Taiwan from the Communists in 1949.

This death threat, which is being investigated by the FBI is not of light consequence in that one of the individuals implicated in the murder of Henry Liu reportedly testified that in coming to our shores he was also asked to murder a prominent American novelist, name unmentioned. As recently as December 1984, Hualing Engle has been referenced in the Taiwan press as 1 of 12 American so-called "leftists" unfriendly to the Taiwan Government. There may be doubt she was targeted for murder, but there is little doubt that she is the

object of Taiwan Government intimidation.

For a foreign government to censure its own press is a violation of civil liberties with which no American can sympathize; but for a foreign government to attempt to muzzle free literary expression in America itself is a high crime of a profoundly graver nature.

It is simply the height of naivete to think the Taiwanese Government does not penetrate Taiwanese organizations and keep close records on Taiwanese citizens and Taiwan-born Americans in this country.

Why, my colleagues might ask, does the Government have so much concern? Part of the answer presumably relates to the desire of Taiwanese authorities to repress potential criticism of their Government in the United States. Part is simply a reflection of paranoid authoritarianism. And part may be an understanding that the freedom of dissent that exists here causes America to be a safe haven for political ideas and prospective political organizing. Governments around the world understand that it is no accident leaders of the stature of Sun Yat Sen, Benigno Aquino, and Kim Dae Jung lived in exile at one time or another in the United States.

But whatever the reasons foreign governments may have for their efforts to stifle dissent in America, we have a responsibility to uphold without compromise our constitutional standards. It is one thing for a foreign government to establish repressive institutions within its borders, but there must never be any tolerance of any kind for intimidation of American citizens on American shores.

Mr. Speaker, I reserve the balance of my time.

Mr. SOLARZ. Mr. Speaker, I yield 4 minutes to the very distinguished gentleman from California [Mr. LANTOS], in whose district the murder of Henry Liu took place, and who was among the very first to issue a call for congressional action in response to this dastardly deed.

□ 1330

Mr. LANTOS. Mr. Speaker, I thank the gentleman for yielding me this time, and I would like to pay public tribute to both the subcommittee chairman, the gentleman from New York [Mr. SOLARZ], and the gentleman from Iowa [Mr. LEACH] for the diligence and seriousness with which they have pursued this case.

Mr. Speaker, the issue before the House in this resolution is a matter of grave concern, with extremely serious and far-reaching implications for the relationship between the United States and the Government in Taiwan. These matters relate to the brutal murder of Mr. Henry Liu, an American



citizen of Daly City, CA, in my congressional district.

Although for us this is an important matter of national policy, for Mrs. Liu it is a very personal and tragic event, and I would like publicly to express my deepest and most sincere sympathy to her.

Mr. Speaker, it is unacceptable for U.S. citizens to be killed on American soil by individuals from other countries, whether these people are acting on their own authority or whether they are put up to these acts by government officials. It is in the best interest of justice, it is in the best interest of the United States, and it is in the best interest of the Government of Taiwan for this matter to be fully and fairly aired in an American court of law.

I, of course, understand that the United States and the Government of Taiwan have no treaty of extradition. This resolution urges the U.S. Government to reach agreement with the Government of Taiwan on an extradition procedure. It is important that this be done.

The lack of such a treaty must not prevent the Government of Taiwan from voluntarily returning the perpetrators of the murder of Henry Liu, as well as their accomplices, to the United States so they can be tried in California, where they committed this outrageous crime.

It is in the interest of the governments of Taiwan and the United States to close the book on this tragic and horrible event as quickly and as fully as possible. This cannot be accomplished except through court proceedings in an American court of law. Although individuals may be tried in Taiwan, the suspicion will inevitably linger that there might be a coverup.

It would be naive to suggest that this brutal murder has not cast a shadow upon the relations between the United States and Taiwan. It is, therefore, important for both our countries to remove that shadow by acting as expeditiously as possible to assure that the accused are returned to the United States and will stand trial.

In conclusion, Mr. Speaker, I would just like to add that we must insist upon opposing terrorism, whether it is perpetrated by Qadhafi of Libya or Khomeini of Iran or our friends in Taiwan. Terrorist activities on American soil will not be tolerated by either the American people or by the Congress of the United States.

Mr. LEACH of Iowa. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, this resolution, in its final form, is the result of a consider-

able amount of work at both the subcommittee and full committee levels.

Let me say that all of us are united in our condemnation of the brutal and disgusting murder of Henry Liu, an American citizen of Chinese descent who was shot down in front of his home last October.

In considering the practical implications of a resolution of this type, several issues had to be faced, including the fact that no legal extradition procedures exist between the United States and the Republic of China on Taiwan. So language to that effect was added. Moreover, most countries of the world, including ours, do not make it a practice to extradite their own citizens to other countries for purpose of standing trial.

Therefore, the language of this resolution had to be refined further so as to take into account the established legal procedures on Taiwan and to ask that the persons accused of murdering Henry Liu be sent to the United States in a manner consistent with those procedures.

I support this resolution and hope that the authorities in the Republic of China will be sensitive to the outcry in the United States over the murder of Henry Liu and the demand that justice be done.

I do believe, however, that the record should state that, short of returning the two accused gangsters to the United States to stand trial in this case, Taiwan has cooperated fully with the United States.

It was police authorities in Taiwan who first cracked the case last November and who reported their findings to American authorities immediately.

The Government of the Republic of China has made any and all documents and evidence in the case available to American investigators and allowed FBI agents to interrogate the two accused gangsters in the case for 17 hours in Taipei last January.

At no time has our State Department ever said or insinuated that the authorities in Taiwan have acted irresponsibly in this case.

The two accused gangsters have been convicted in Taiwanese courts and have been sentenced to life in prison. Three officials in the Military Intelligence Bureau who were implicated in the case are presently in a court-martial and if convicted, they face the likelihood of a sentence at least as harsh as that given to the gangsters.

Let me conclude by declaring again that I support this resolution. The murder of Henry Liu was a tragic and inexcusable crime committed against an American citizen and this resolution expresses our outrage.

Mr. LEACH of Iowa. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Speaker, I thank my good friend, the gentleman from Iowa [Mr. LEACH], and I want to acknowledge that I endorse this resolution completely. I think it says what needs to be said. The murder of Henry Liu was an outrage, and anyone who was involved in it or who had anything to do with it ought to be brought to justice, and justice ought to be speedy, and it ought to be thorough.

That said, I think that a few other comments are necessary. First of all, the Government of Taiwan cannot be accused at this point in the proceedings of training and recruiting the gangsters who committed this murder. It is true that there are three people, citizens of Taiwan, who hold positions in or who formerly held positions in the military. The former Director of the Defense Ministry's Intelligence Bureau and two of his deputies have been tried before a court-martial last Friday. They have not yet been found guilty or innocent nor have they been sentenced.

But the point is that no demand for the return of these people has been made by our Federal Government, only by local authorities. I think that should be noted for the record, and I think it should be noted that the Taiwan authorities have cooperated with our Federal authorities.

Next, I think it is important to note that naming government officials for their involvement in a crime cannot be taken as evidence of official complicity in this matter. I do not think that the fact that these three people are being tried and have been tried, in addition to the two convicted murderers, necessarily means that this was an official act of the government. I think that is unfair and really ought not to be added to this debate.

The only other point I would make is that initially this resolution indicated that we wanted them sent back here. We want them returned here, but I think we need to recognize that there are legal processes that exist in Taiwan, the Republic of China, and that these legal processes ought to be respected and followed before we can properly request someone to be shipped back to us. It must be done according to the rule of law.

Now, it is ironical that Taiwan has been asking for an extradition agreement with us for many years.

□ 1340

It takes a tragedy like this to finally get some momentum going toward obtaining an extradition agreement, because Taiwan has some people over here they would like extradited back to their country.

But I think it is a good resolution. I share the horror of what happened. I hope and pray that justice will be effectively meted out and if, in accord-

ance with a reasonable construction of the law of the Republic of China, then these criminals should be returned here for trial.

Mr. SOLARZ. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. MINETA], who has been one of the most eloquent exponents of this resolution and who testified before our committee on the issue several weeks ago.

Mr. MINETA. Mr. Speaker, I rise in strong support of House Concurrent Resolution 110. This legislation is appropriate, moderate, and timely, and I urge my colleagues to support it.

For those who are unfamiliar with the case that prompted this resolution, let me provide the main facts. Henry Liu was a U.S. citizen who was murdered in Daly City, CA, by gangsters acting as agents on behalf of a foreign government.

The murder was a blatant act of international terrorism. How else can we classify the brutal murder by foreign agents of U.S. citizens trying to exercise their constitutional right to speak and publish political commentary?

Several aspects of this case are particularly distressing to me.

First, is the failure of our own Federal Government to respond more boldly to this crime. Several weeks ago, a U.S. drug agent was tragically murdered in Mexico. The response by our Government was immediate and dramatic. When it appeared that the Mexican Government was not fully cooperating in solving the case, officials from the White House on down voiced their criticism. Borders were tightened, ambassadors were summoned—all to express the necessary and rightful outrage of both the crime and the subsequent inaction.

And yet, how many people know of Henry Liu? He was not a heroic U.S. Government agent, simply a U.S. citizen, who believed he was free to write what he wanted, and that our Federal Government would protect him. He was not killed in a foreign land by drug dealers. He was killed in his garage in California by foreign agents. And the U.S. Government's reaction has been inaction. While the FBI has investigated the case, the files sit in the cabinet gathering dust, because no Federal grand jury has been called by the U.S. attorney to decide if Mr. Liu's civil rights were violated.

I was terribly disappointed that the administration did not make a stronger effort to have these criminals returned to the United States for trial. The government on Taiwan is currently trying those involved in the killing, including the three top officials of their defense intelligence service. Frankly, I am not confident that we will learn all of the facts of this act of terrorism as long as the only trials occurring are those in Taiwan. This was

a crime occurring in our country; it requires U.S. justice: a full hearing, in an open courtroom.

I deeply regret that the government of Taiwan did not return the criminals to the United States for trial. For a government which claims to want close friendship with the United States, their behavior is curious. For a government who depends on the United States for millions of dollars of arms, their behavior is curious. The murder of Henry Liu has put a thorn in the side of United States-Taiwanese relations, a thorn whose pain will remain in this Member's mind for a long time to come.

Mr. Speaker, as a former member of the House Permanent Select Committee on Intelligence, I deplore the activities of all foreign agents in this Nation. I deplore the activities of those agents who work for our adversaries, and I deplore the activities of those who work for our would-be friends. Those who would call themselves friend, but send spies to surveil and harass our citizens, endanger that friendship.

Along with Mr. SOLARZ and Mr. LEACH, I have written to the chairman of the Intelligence Committee requesting his assistance in studying this problem, and I will insert our letter and Mr. HAMILTON's reply for the RECORD following my remarks.

Mr. Speaker, this case has been a tragedy for the family of Henry Liu, and for all Americans of Asian ancestry. I urge my colleagues to demonstrate their awareness and concern for this sad event by approving House Concurrent Resolution 110.

In closing, Mr. Speaker, let me just add my deep thanks to Mr. SOLARZ, Mr. LEACH, Mr. LANTOS, and Mr. LAGOMARSINO without whose hard work this resolution would not be before us today.

I include the material referred to, as follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 14, 1985.

HON. LEE H. HAMILTON,  
Permanent Select Committee on Intelligence,  
H-405, The Capitol, Washington, DC.

DEAR CHAIRMAN HAMILTON: As you may know, a United States citizen named Henry Liu was recently murdered in California by agents of the government of Taiwan. Mr. Liu's killing was apparently the result of his writings, which have been critical of the Taiwan government.

The two men identified by the FBI as being directly responsible for the killing are now in Taiwan, and will not be returned to the United States for trial in our courts. In addition, the three top officials of the Taiwan military intelligence agency have been linked to this killing.

Our review of this case has raised serious questions about the extent of activity within this country of foreign agents who harass and intimidate U.S. citizens and residents seeking to exercise their rights under our Constitution. In the last few years, Con-

gressional studies and news reports have increasingly highlighted this important problem.

We are particularly concerned about the Liu case, and other reports of extensive activities directly against U.S. citizens by agents of friendly nations such as Taiwan. We, therefore, urge that your committee investigate this problem with special emphasis on the activities of agents of Taiwan and other countries.

We are interested in your conclusions on the magnitude of such activity, the effectiveness of existing laws, and what administrative or legislative steps need to be taken to relieve this unwelcome and unlawful intrusion into the lives of our citizens and residents.

We look forward to the results of your investigation with great anticipation, and are ready to work with you and your staff in this work.

Thank you very much.

Sincerely yours,

NORMAN Y. MINETA,  
STEPHEN J. SOLARZ,  
JIM LEACH,

Members of Congress.

U.S. HOUSE OF REPRESENTATIVES,  
PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, April 4, 1985.

HON. NORMAN Y. MINETA,  
2350 Rayburn House Office Building, Washington, DC.

DEAR NORM: Thank you for your letter of March 14 urging that the Permanent Select Committee on Intelligence investigate activities against U.S. citizens in this country by agents of friendly nations, such as Taiwan.

Responsibility for investigating and preventing such activities rests with the Federal Bureau of Investigation. The Committee authorizes the Foreign Counterintelligence budget of the FBI and conducts regular oversight over the Bureau's counterintelligence activities. The FBI applies its resources and energies against the intelligence services of foreign countries on a case-by-case basis. Some countries, such as the Soviet Union, have a history as well as a current profile of active espionage within the U.S. and require major proactive efforts. Other countries may conduct intelligence activities in the U.S. but do not pose a threat to U.S. citizens or classified information. Here the Bureau's response is reactive.

The FBI has an obligation to respond to any allegations made to the Bureau of harassment or intimidation by a foreign intelligence service of U.S. citizens or residents in this country. Overall, the FBI believes that foreign nations that may be interested in the activities of U.S. residents of the same national strain or who may attempt to influence such persons must temper these desires with the awareness that the Bureau monitors their activities carefully and is capable of acting to prevent such activities.

It is clear to me that the Bureau must take a proactive stance against some nations and a reactive one versus others who represent less of a threat. This sort of a posture naturally follows from the application of finite resources against the threat from a very large foreign presence in this country.

The Permanent Select Committee on Intelligence has devoted particular attention to this problem in the last four years and has consistently supported or added to FBI foreign counterintelligence personnel augmentations. I believe the Committee is im-



pressed by the Bureau's desire to cover any possible counterintelligence threat to our citizens and I have no information which would contradict their statements to the Committee that, with regard to so-called friendly nations whose intelligence services may be active in this country, the Bureau's efforts are adequately sized and funded in the context of overall FBI resources.

The Committee feels that its inquiry into this question with, as you have pointed out, the background of previous Congressional expressions of concern in this area, may help to reaffirm that the Bureau's efforts should continue to be directed in the future towards providing adequate resources to address this problem. The Committee will continue to review this issue from time to time and would appreciate any information which you can supply now or in the future which would assist in ensuring that the Bureau's efforts are well focused and appropriately sized in view of the nature of friendly intelligence activities in the United States.

I cannot assure you that incidents such as the Liu case will not occur in the future, but I do point out that the Bureau's reaction to the murder of Professor Liu has been swift and, I believe, effective. The Bureau believes that the Liu case is unusual in many respects and does not represent a pattern of harassment of Americans by the Taiwanese intelligence services.

Finally, I have suggested to the Bureau that the Committee would be sympathetic to any reallocation of investigative effort it may feel is called for in light of any possible increased threat or enhanced appreciation of such a threat in this area.

With best wishes, I am,

Sincerely yours,

LEE H. HAMILTON,  
Chairman.

Mr. LEACH of Iowa. Mr. Speaker, let me just comment briefly that I appreciate very much the leadership of the gentleman from New York [Mr. SOLARZ] and the rest of the committee, but particularly also the comments of the gentleman from California [Mr. MINETA] indicating that this is a civil liberties issue.

I think all of us have to understand that we cannot allow our system to be one in which civil liberties are considered fickle and in which there is less concern for descendants of an Asian or African state than there might be for those of a northern European one.

Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding. I may require an extension of that 1 minute.

Mr. Speaker, I appreciate the gentleman yielding. I would have had no difficulty at all at the outset of the pending resolution if the facts had yielded a situation in which no action at all was being taken by the Government from which these assassins came; that is, if we had been placed in a situation where a foreign government was granting sanctuary to its own citizens to prevent them from coming to justice, so speak, then I would have no difficulty with this, because the outrage would have been replicated much more than the outrage is being fo-

mented in this resolution; but the fact of the matter is that the Government of Formosa, so far as I have been able to uncover, took action on its own to bring this to justice.

Mr. LANTOS. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. LEACH of Iowa. Mr. Speaker, I would be delighted to yield 2 additional minutes to the gentleman from Pennsylvania.

Mr. GEKAS. I yield to the gentleman from California.

Mr. LANTOS. Mr. Speaker, I thank my friend for yielding.

The issue here is not an ordinary garden variety murder case. We understand that the people who pulled the trigger have been tried and have been convicted.

The fundamental issue is how high up in the hierarchy of the Taiwan Government did the orders come from that made these gangsters pull the trigger? That issue will not be resolved by a Taiwanese court. That issue will have to be resolved in a California court.

Mr. GEKAS. Mr. Speaker, I would regain my time simply to say that I feel a basic comfort in the fact that this very same government took the pains to bring those individuals to justice for whatever level of administration of justice is going to be undertaken on the Island of Formosa. That does not detract from the validity of this resolution, and I support the resolution.

I simply wish to place on record that many of us have reservation about a huge outcry on our part of a country that is taking measures to bring these individuals to justice and to comply with requests from our Government; not so with other governments also friendly to us who grant sanctuary to assassins and other criminals of similar ilk. That is the point that I wanted to bring up.

I thank the gentleman for yielding.

□ 1350

Mr. SOLARZ. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MATSUI].

Mr. MATSUI. Mr. Speaker, three reputed gangsters have recently been sentenced for the slaying in Daly City, CA, of Asian American author Henry Liu. They were not sentenced in San Mateo County, CA, where the assassination took place. They were not sentenced in a court of the United States. Rather, the alleged murderers of Henry Liu, an American citizen shot to death on American soil, were sentenced in a court in Taipei, Taiwan.

I strongly encourage the Government of Taiwan to voluntarily return the perpetrators of this crime to the United States.

The fact that the United States and the government in Taiwan have no treaty of extradition serves only as a fence behind which suspicion will grow. It is in the mutual interest of the Government of Taiwan and the Government of the United States to remove this barrier. A trial in Taiwan, even one which is conducted in a fair and open manner, does not remove that suspicion. Only a trial in an American court of law can adequately remove any suspicion of a coverup on the part of the Taiwan authorities.

I strongly urge my colleagues to support House Concurrent Resolution 110 which will make known the sense of the Congress that Taiwan should continue to cooperate in the case of Henry Liu and to conclude an extradition agreement.

Mr. Speaker, I would like to congratulate the gentleman from New York [Mr. SOLARZ] and the gentleman from Iowa [Mr. LEACH], and certainly I would like to congratulate the gentleman from California [Mr. MINETA] in the sense that they have brought this issue to the public conscience of the American people.

I would just like to say one thing in the remaining 30 seconds I have. You know, this is not a situation where the crime occurred in Taiwan or some foreign country. The crime occurred in Daly City, CA. This was an American citizen, and I just have to believe that it was an outrageous situation.

We do not know how far it went but if it were a Greek American citizen who was killed in Pennsylvania, I think perhaps the gentleman who just spoke might have a different attitude about this and might say no, this person should not be tried in Greece; this person should be tried in the United States. And I think that is where the mistake is coming from.

This happened in this country. It was an American citizen.

Mr. GEKAS. Will the gentleman yield?

Mr. MATSUI. I will yield to the gentleman whatever time I have remaining.

Mr. GEKAS. I have never placed the rights of American citizens under any coloration of ethnic background or of any race. Of course I would react the same way.

The SPEAKER pro tempore. The time of the gentleman from California [Mr. MATSUI] has expired.

Mr. LEACH of Iowa. I yield the gentleman from Pennsylvania [Mr. GEKAS] 1 additional minute.

Mr. GEKAS. I think it is unseemly on the part of my comrade in arms here in the Congress to ascribe to me any kind of ethnic considerations here. There are none. We are not talking about that.

What we are talking about is, and the only comment I made was this is

totally a different situation from where a country normally many times grants sanctuary to its citizens rather than prosecuting them. Here the Government of Formosa, of Taiwan, did take, in comparison, some other extraordinary measures to bring the culprits to justice. That is the only comment I made. It has nothing to do with the ethnicity or the ethnic background of the victim.

Mr. SOLARZ. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLARZ] has 2 minutes remaining.

Mr. SOLARZ. Mr. Speaker, I yield one of my precious 2 remaining minutes to my very good friend, the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. I want to commend the gentleman from New York [Mr. SOLARZ] and my colleague from Iowa [Mr. LEACH] for this resolution. I think it is very important to do this for all Americans.

I had the privilege of representing the Liu in Congress for 2 years, and along with my colleague from California [Mr. LANTOS], I want to express my deepest sympathy to the Henry Liu family who have suffered an irreversible loss.

Why is what we do here today important to all Americans? First of all, we have to take a stand against terrorism in our own country. If we do nothing, there is a chilling effect on all our citizens who could be the victim of foreign terrorism, because they are exercising their rights of freedom of press, freedom of speech, rights that we treasure here in our Nation. So we must protect the rights of all Americans to be defended by our criminal justice system, the greatest criminal justice system in the world.

Mr. Liu deserves nothing less.

I yield back the balance of my time.

Mr. LEACH of Iowa. Mr. Speaker, I yield myself such time as I may consume.

I would just like to conclude with the observation made by the gentleman from Pennsylvania [Mr. GEKAS]. It is impressive that the Government of Taiwan has convicted and sentenced to life imprisonment two of the triggermen involved in this incident. It is also impressive that they have brought to trial a higher ranking authority, although that verdict is still out.

But I would stress from the perspective of the United States that the higher ranking authorities that have so far been implicated, or at least the highest ranking authority that has so far been implicated, is the equivalent of what might be considered the head of our Defense Intelligence Agency or the head of the CIA. So it is an extraordinarily high ranking authority of a foreign state.

Finally let me just stress that there are indications that two murders were ordered by high ranking authorities of Taiwan. One was a citizen of the State of California; one was possibly a citizen of the State of Iowa. And as a citizen of the United States, we have to ask why were their murders ordered? They were ordered because these citizens criticized a foreign government. That is an extraordinary motivation: criticism, one a literator, one a journalist. For our society to tolerate the kind of behavior implied in this act without a very strong sense of outrage being reflected in this Congress I think would be a mistake.

I yield back the balance of my time.

Mr. SOLARZ. Mr. Speaker, I yield myself the remaining time.

In conclusion I would just like to say that if this was an isolated incident it would have been bad enough. What makes matters worse is that it is part of a pattern.

Four years ago the authorities on Taiwan murdered a permanent resident in the United States, Chen Wen-Cheng, a professor at the Carnegie-Mellon Institute in Pittsburgh, on a return visit which he made to see his family in Taiwan. In the interim there have been persistent reports that the authorities on Taiwan are intimidating Taiwanese Americans in our country. The bullet which was aimed at the heart of Henry Liu was also aimed at the heart of the Constitution of the United States. It was designed not only to silence Mr. Liu, it was designed to silence other critics of the Government of Taiwan.

That is why we need to adopt this resolution, in order to make it clear to the authorities on Taiwan that the Congress simply will not tolerate these activities in the future.

Mr. Speaker, I yield back the balance of my time.

● Mrs. BURTON of California. Mr. Speaker, I urge the House to pass this important resolution, which calls on the Government of Taiwan to cooperate in the case of Henry Liu and the extradition of the men accused of his murder.

Passage of this bill by the House today will send a strong message to Taiwan that the United States will not tolerate foreign nationals assassinating Americans.

The involvement of Taiwanese Government officials in this cold-blooded crime makes it all the more outrageous. I am committed to continue to pressure the Taiwanese Government and to ensure that our own Justice Department actively pursues this case. ●

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. SOLARZ] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 110.

The question was taken.

Mr. LANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. SOLARZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the concurrent resolution just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

#### EXPORT ADMINISTRATION ACT REAUTHORIZATION

Mr. BONKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1786) to reauthorize the Export Administration Act of 1979, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1786

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

Titles I and II of this Act may be cited as the "Export Administration Amendments Act of 1985".

#### TITLE I—AMENDMENTS TO EXPORT ADMINISTRATION ACT OF 1979

##### SEC. 101. REFERENCE TO THE ACT.

Except as otherwise expressly provided, whenever in this title an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the the Export Administration Act of 1979.

##### SEC. 102. FINDINGS.

Section 2 (50 U.S.C. App. 2401) is amended as follows:

(1) Paragraph (2) is amended by striking out "by strengthening the trade balance and the value of the United States dollar, thereby reducing inflation" and inserting in lieu thereof "by earning foreign exchange, thereby contributing favorably to the trade balance".

(2) Paragraph (3) is amended by striking out "which would strengthen the Nation's economy" and inserting in lieu thereof "consistent with the economic, security, and foreign policy objectives of the United States".

(3) Paragraph (6) is amended to read as follows:

"(6) Uncertainty of export control policy can inhibit the efforts of United States business and work to the detriment of the overall attempt to improve the trade balance of the United States."

(4) Paragraph (9) is amended by striking out "achievement of a positive balance of payments" and inserting in lieu thereof "a positive contribution to the balance of payments".



(5) Section 2 is amended by adding at the end the following:

"(10) It is important that the administration of export controls imposed for foreign policy purposes give special emphasis to the need to control exports of goods and substances hazardous to the public health and the environment which are banned or severely restricted for use in the United States, and which, if exported, could affect the international reputation of the United States as a responsible trading partner.

"(11) The acquisition of national security sensitive goods and technology by the Soviet Union and other countries the actions or policies of which run counter to the national security interests of the United States, has led to the significant enhancement of Soviet bloc military-industrial capabilities. This enhancement poses a threat to the security of the United States, its allies, and other friendly nations, and places additional demands on the defense budget of the United States.

"(12) Availability to controlled countries of goods and technology from foreign sources is a fundamental concern of the United States and should be eliminated through negotiations and other appropriate means whenever possible.

"(13) Excessive dependence of the United States, its allies, or countries sharing common strategic objectives with the United States, on energy and other critical resources from potential adversaries can be harmful to the mutual and individual security of all those countries."

#### SEC. 103. DECLARATION OF POLICY.

Section 3 (50 U.S.C. App. 2402) is amended as follows:

(1) Paragraph (3) is amended by inserting before the period at the end "or common strategic objectives".

(2) Paragraph (7) is amended—

(A) by striking out "every reasonable effort" in the second sentence and inserting in lieu thereof "reasonable and prompt efforts"; and

(B) by striking out "resorting to the imposition of controls on exports from the United States" in the second sentence and inserting in lieu thereof "imposing export controls".

(3) Paragraph (8) is amended—

(A) by striking out "every reasonable effort" in the second sentence and inserting in lieu thereof "reasonable and prompt efforts"; and

(B) by striking out "resorting to the imposition of export controls" in the second sentence and inserting in lieu thereof "imposing export controls".

(4) Paragraph (9) is amended—

(A) by inserting "or common strategic objectives" after "commitments" each place it appears; and

(B) by inserting before the period at the end the following: ", and to encourage other friendly countries to cooperate in restricting the sale of goods and technology that can harm the security of the United States".

(5) Section 3 is amended by adding at the end the following:

"(12) It is the policy of the United States to sustain vigorous scientific enterprise. To do so involves sustaining the ability of scientists and other scholars freely to communicate research findings, in accordance with applicable provisions of law, by means of publication, teaching, conferences, and other forms of scholarly exchange.

"(13) It is the policy of the United States to control the export of goods and substances banned or severely restricted for use

in the United States in order to foster public health and safety and to prevent injury to the foreign policy of the United States as well as to the credibility of the United States as a responsible trading partner.

"(14) It is the policy of the United States to cooperate with countries which are allies of the United States and countries which share common strategic objectives with the United States in minimizing dependence on imports of energy and other critical resources from potential adversaries and in developing alternative supplies of such resources in order to minimize strategic threats posed by excessive hard currency earnings derived from such resource exports by countries with policies adverse to the security interests of the United States.

"(15) It is the policy of the United States, particularly in light of the Soviet massacre of innocent men, women, and children aboard Korean Air Lines flight 7, to continue to object to exceptions to the International Control List for the Union of Soviet Socialist Republics, subject to periodic review by the President."

#### SEC. 104. GENERAL PROVISIONS.

(a) VALIDATED LICENSES AUTHORIZING MULTIPLE EXPORTS.—Section 4(a)(2) (50 U.S.C. App. 2403(a)(2)) is amended to read as follows:

"(2) Validated licenses authorizing multiple exports, issued pursuant to an application by the exporter, in lieu of an individual validated license for each such export, including, but not limited to, the following:

"(A) A distribution license, authorizing exports of goods to approved distributors or users of the goods in countries other than controlled countries. The Secretary shall grant the distribution license primarily on the basis of the reliability of the applicant and foreign consignees with respect to the prevention of diversion of goods to controlled countries. The Secretary shall have the responsibility of determining, with the assistance of all appropriate agencies, the reliability of applicants and their immediate consignees. The Secretary's determination shall be based on appropriate investigations of each applicant and periodic reviews of licensees and their compliance with the terms of licenses issued under this Act. Factors such as the applicant's products or volume of business, or the consignees' geographic location, sales distribution area, or degree of foreign ownership, which may be relevant with respect to individual cases, shall not be determinative in creating categories or general criteria for the denial of applications or withdrawal of a distribution license.

"(B) A comprehensive operations license, authorizing exports and reexports of technology and related goods, including items from the list of militarily critical technologies developed pursuant to section 5(d) of this Act which are included on the control list in accordance with that section, from a domestic concern to and among its foreign subsidiaries, affiliates, joint venturers, and licensees that have long-term, contractually defined relations with the exporter, are located in countries other than controlled countries, and are approved by the Secretary. The Secretary shall grant the license to manufacturing, laboratory, or related operations on the basis of approval of the exporter's systems of control, including internal proprietary controls, applicable to the technology and related goods to be exported rather than approval of individual export transactions. The Secretary and the Commissioner of Customs, consistent with their

authorities under section 12(a) of this Act, and with the assistance of all appropriate agencies, shall periodically, but not less frequently than annually, perform audits of licensing procedures under this subparagraph in order to assure the integrity and effectiveness of those procedures.

"(C) A project license, authorizing exports of goods or technology for a specified activity.

"(D) A service supply license, authorizing exports of spare or replacement parts for goods previously exported."

(b) CONTROL LIST.—Section 4(b) is amended—

(1) by striking out "Commodity" and "commodity"; and

(2) by striking out "consisting of any goods or technology subject to export controls under this Act" and inserting in lieu thereof "stating license requirements (other than for general licenses) for exports of goods and technology under this Act".

(c) FOREIGN AVAILABILITY.—Section 4(c) is amended—

(1) by striking out "significant" and inserting in lieu thereof "sufficient";

(2) by inserting after "those produced in the United States" the following: "so as to render the controls ineffective in achieving their purposes"; and

(3) by adding at the end the following: "In complying with the provisions of this subsection, the President shall give strong emphasis to bilateral or multilateral negotiations to eliminate foreign availability. The Secretary and the Secretary of Defense shall cooperate in gathering information relating to foreign availability, including the establishment and maintenance of a jointly operated computer system."

(d) NOTIFICATION OF PUBLIC AND CONSULTATION WITH BUSINESS.—Section 4(f) is amended to read as follows:

"(f) NOTIFICATION OF THE PUBLIC; CONSULTATION WITH BUSINESS.—The Secretary shall keep the public fully apprised of changes in export control policy and procedures instituted in conformity with this Act with a view to encouraging trade. The Secretary shall meet regularly with representatives of a broad spectrum of enterprises, labor organizations, and citizens interested in or affected by export controls, in order to obtain their views on United States export control policy and the foreign availability of goods and technology."

#### SEC. 105. NATIONAL SECURITY CONTROLS.

(a) AUTHORITY.—

(1) TRANSFERS TO EMBASSIES OF CONTROLLED COUNTRIES.—Section 5(a)(1) (50 U.S.C. App. 2404(a)(1)) is amended by inserting after the first sentence the following new sentence: "The authority contained in this subsection includes the authority to prohibit or curtail the transfer of goods or technology within the United States to embassies and affiliates of controlled countries."

(2) CLERICAL AMENDMENT.—Section 5(a)(2) is amended—

(A) by striking out "(A)"; and

(B) by striking out subparagraph (B).

(3) SAFEGUARDS TO PREVENT DIVERSIONS.—Section 5(a)(3) is amended by striking out the last sentence.

(b) POLICY TOWARD INDIVIDUAL COUNTRIES.—

(1) CONTROLLED COUNTRIES.—Section 5(b) is amended by striking out the first sentence and inserting in lieu thereof the following: "(1) In administering export controls for national security purposes under this section, the President shall establish as a list of con-

trolled countries those countries set forth in section 620(f) of the Foreign Assistance Act of 1961, except that the President may add any country to or remove any country from such list of controlled countries if he determines that the export of goods or technology to such country would or would not (as the case may be) make a significant contribution to the military potential of such country or a combination of countries which would prove detrimental to the national security of the United States. In determining whether a country is added to or removed from the list of controlled countries, the President shall take into account—

"(A) the extent to which the country's policies are adverse to the national security interests of the United States;

"(B) the country's Communist or non-Communist status;

"(C) the present and potential relationship of the country with the United States;

"(D) the present and potential relationships of the country with countries friendly or hostile to the United States;

"(E) the country's nuclear weapons capability and the country's compliance record with respect to multilateral nuclear weapons agreements to which the United States is a party; and

"(F) such other factors as the President considers appropriate.

Nothing in the preceding sentence shall be interpreted to limit the authority of the President provided in this Act to prohibit or curtail the export of any goods or technology to any country to which exports are controlled for national security purposes other than countries on the list of controlled countries specified in this paragraph."

(2) **EXPORTS TO COCOM COUNTRIES.**—Section 5(b) is amended by adding at the end the following:

"(2) No authority or permission to export may be required under this section before goods or technology are exported in the case of exports to a country which maintains export controls on such goods or technology cooperatively with the United States pursuant to the agreement of the group known as the Coordinating Committee, if the goods or technology is at such a level of performance characteristics that the export of the goods or technology to controlled countries requires only notification of the participating governments of the Coordinating Committee."

(3) **TECHNICAL AMENDMENT.**—Section 5(b)(1), as amended by paragraph (1) of this subsection, is amended in the last sentence by striking out "specified in the preceding sentence" and inserting in lieu thereof "set forth in this paragraph".

(c) **CONTROL LIST.**—

(1) **ANNUAL REVIEW.**—Section 5(c) is amended—

(A) in paragraph (1) by striking out "commodity"; and

(B) by amending paragraph (3) to read as follows:

"(3) The Secretary shall review the list established pursuant to this subsection at least once each year in order to carry out the policy set forth in section 3(2)(A) of this Act and the provisions of this section, and shall promptly make such revisions of the list as may be necessary after each such review. Before beginning each annual review, the Secretary shall publish notice of that annual review in the Federal Register. The Secretary shall provide an opportunity during such review for comment and the submission of data, with or without oral presentation, by interested Government

agencies and other affected or potentially affected parties. The Secretary shall publish in the Federal Register any revisions in the list, with an explanation of the reasons for the revisions. The Secretary shall further assess, as part of such review, the availability from sources outside the United States of goods and technology comparable to those subject to export controls imposed under this section."

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1)(B) of this subsection shall take effect on October 1, 1985.

(d) **EXPORT LICENSES.**—Section 5(e) is amended—

(1) in paragraph (1) by striking out "a qualified general license in lieu of a validated license" and inserting in lieu thereof "the multiple validated export licenses described in section 4(a)(2) of this Act in lieu of individual validated licenses"; and

(2) by striking out paragraphs (3) and (4) and inserting in lieu thereof the following:

"(3) The Secretary, subject to the provisions of subsection (1) of this section, shall not require an individual validated export license for replacement parts which are exported to replace on a one-for-one basis parts that were in a good that has been lawfully exported from the United States.

"(4) The Secretary shall periodically review the procedures with respect to the multiple validated export licenses, taking appropriate action to increase their utilization by reducing qualification requirements or lowering minimum thresholds, to combine procedures which overlap, and to eliminate those procedures which appear to be of marginal utility.

"(5) The export of goods subject to export controls under this section shall be eligible, at the discretion of the Secretary, for a distribution license and other licenses authorizing multiple exports of goods, in accordance with section 4(a)(2) of this Act. The export of technology and related goods subject to export controls under this section shall be eligible for a comprehensive operations license in accordance with section 4(a)(2)(B) of this Act."

(e) **INDEXING.**—Section 5(g) is amended to read as follows:

"(g) **INDEXING.**—In order to ensure that requirements for validated licenses and other licenses authorizing multiple exports are periodically removed as goods or technology subject to such requirements becomes obsolete with respect to the national security of the United States, regulations issued by the Secretary may, where appropriate, provide for annual increases in the performance levels of goods or technology subject to any such licensing requirement. The regulations issued by the Secretary shall establish as one criterion for the removal of goods or technology from such license requirements the anticipated needs of the military of controlled countries. Any such goods or technology which no longer meets the performance levels established by the regulations shall be removed from the list established pursuant to subsection (c) of this section unless, under such exceptions and under such procedures as the Secretary shall prescribe, any other department or agency of the United States objects to such removal and the Secretary determines, on the basis of such objection, that the goods or technology shall not be removed from the list. The Secretary shall also consider, where appropriate, removing site visitation requirements for goods and technology which are removed from the list unless objections described in this subsection are raised."

(f) **MULTILATERAL EXPORT CONTROLS.**—Section 5(i) is amended—

(1) by striking out paragraph (3);

(2) in paragraph (4)—

(A) by striking out "(4)" and inserting in lieu thereof "(3)"; and

(B) by striking out "pursuant to paragraph (3)" and inserting in lieu thereof "by the members of the Committee"; and

(3) by adding at the end the following:

"(4) Agreement to enhance full compliance by all parties with the export controls imposed by agreement of the Committee through the establishment of appropriate mechanisms.

"(5) Agreement to improve the International Control List and minimize the approval of exceptions to that list, strengthen enforcement and cooperation in enforcement efforts, provide sufficient funding for the Committee, and improve the structure and function of the Secretariat of the Committee by upgrading professional staff, translation services, data base maintenance, communications, and facilities.

"(6) Agreement to coordinate the systems of export control documents used by the participating governments in order to verify effectively the movement of goods or technology subject to controls by the Committee from the country of any such government to any other place.

"(7) Agreement to establish uniform, adequate criminal and civil penalties to deter more effectively diversions of items controlled for export by agreement of the Committee.

"(8) Agreement to increase on-site inspections by national enforcement authorities of the participating governments to ensure that end users who have imported items controlled for export by agreement of the Committee are using such items for the stated end uses, and that such items are, in fact, under the control of those end users.

"(9) Agreement to strengthen the Committee so that it functions effectively in controlling export trade in a manner that better protects the national security of each participant to the mutual benefit of all participants."

(g) **COMMERCIAL AGREEMENTS WITH CERTAIN COUNTRIES.**—Section 5(j) is amended to read as follows:

"(j) **COMMERCIAL AGREEMENTS WITH CERTAIN COUNTRIES.**—(1) Any United States firm, enterprise, or other nongovernmental entity which enters into an agreement with any agency of the government of a controlled country, that calls for the encouragement of technical cooperation and that is intended to result in the export from the United States to the other party of unpublished technical data of United States origin, shall report to the Secretary the agreement with such agency in sufficient detail.

"(2) The provisions of paragraph (1) shall not apply to colleges, universities, or other educational institutions."

(h) **NEGOTIATIONS WITH OTHER COUNTRIES.**—Section 5(k) is amended—

(1) by inserting after "conducting negotiations with other countries" the following: "including those countries not participating in the group known as the Coordinating Committee"; and

(2) by adding at the end the following: "In cases where such negotiations produce agreements on export restrictions comparable in practice to those maintained by the Coordinating Committee, the Secretary shall treat exports, whether by individual or multiple licenses, to countries party to such



agreements in the same manner as exports to members of the Coordinating Committee are treated, including the same manner as exports are treated under subsection (b)(2) of this section and section 10(o) of this Act."

(i) **DIVERSION OF CONTROLLED GOODS OR TECHNOLOGY.**—Section 5(l) is amended to read as follows:

"(l) **DIVERSION OF CONTROLLED GOODS OR TECHNOLOGY.**—(1) Whenever there is reliable evidence, as determined by the Secretary, that goods or technology which were exported subject to national security controls under this section to a controlled country have been diverted to an unauthorized use or consignee in violation of the conditions of an export license, the Secretary for as long as that diversion continues—

"(A) shall deny all further exports, to or by the party or parties responsible for that diversion or who conspired in that diversion, of any goods or technology subject to national security controls under this section, regardless of whether such goods or technology are available from sources outside the United States; and

"(B) may take such additional actions under this Act with respect to the party or parties referred to in subparagraph (A) as the Secretary determines are appropriate in the circumstances to deter the further unauthorized use of the previously exported goods or technology.

"(2) As used in this subsection, the term 'unauthorized use' means the use of United States goods or technology in the design, production, or maintenance of any item on the United States Munitions List, or the military use of any item on the International Control List of the Coordinating Committee."

(j) **ADDITIONAL NATIONAL SECURITY PROVISIONS.**—Section 5 is amended by adding at the end the following new subsections:

"(m) **GOODS CONTAINING MICROPROCESSORS.**—Export controls may not be imposed under this section on a good solely on the basis that the good contains an embedded microprocessor, if such microprocessor cannot be used or altered to perform functions other than those it performs in the good in which it is embedded. An export control may be imposed under this section on a good containing an embedded microprocessor referred to in the preceding sentence only on the basis that the functions of the good itself are such that the good, if exported, would make a significant contribution to the military potential of any other country or combination of countries which would prove detrimental to the national security of the United States.

"(n) **SECURITY MEASURES.**—The Secretary and the Commissioner of Customs, consistent with their authorities under section 12(a) of this Act, and in consultation with the Director of the Federal Bureau of Investigation, shall provide advice and technical assistance to persons engaged in the manufacture or handling of goods or technology subject to export controls under this section to develop security systems to prevent violations or evasions of those export controls.

"(o) **RECORDKEEPING.**—The Secretary, the Secretary of Defense, and any other department or agency consulted in connection with a license application under this Act or a revision of a list of goods or technology subject to export controls under this Act, shall make and keep records of their respective advice, recommendations, or decisions in connection with any such license application or revision, including the factual and

analytical basis of the advice, recommendations, or decisions.

"(p) **NATIONAL SECURITY CONTROL OFFICE.**—To assist in carrying out the policy and other authorities and responsibilities of the Secretary of Defense under this section, there is established in the Department of Defense a National Security Control Office under the direction of the Under Secretary of Defense for Policy. The Secretary of Defense may delegate to that office such of those authorities and responsibilities, together with such ancillary functions, as the Secretary of Defense considers appropriate.

"(q) **EXCLUSION FOR AGRICULTURAL COMMODITIES.**—This section does not authorize export controls on agricultural commodities, including fats, oils, and animal hides and skins."

#### SEC. 106. MILITARILY CRITICAL TECHNOLOGIES.

(a) Section 5(d) (50 U.S.C. App. 2404(d)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B) by striking out "and" after "test equipment,";

(B) by adding "and" at the end of subparagraph (C);

(C) by inserting after subparagraph (C) the following:

"(D) keystone equipment which would reveal or give insight into the design and manufacture of a United States military system,"; and

(D) by striking out "countries to which exports are controlled under this section" and inserting in lieu thereof the following: "or available in fact from sources outside the United States to, controlled countries"; and

(2) by striking out paragraphs (4) through (6) and inserting in lieu thereof the following:

"(4) The Secretary and the Secretary of Defense shall integrate items on the list of militarily critical technologies into the control list in accordance with the requirements of subsection (c) of this section. The integration of items on the list of militarily critical technologies into the control list shall proceed with all deliberate speed. Any disagreement between the Secretary and the Secretary of Defense regarding the integration of an item on the list of militarily critical technologies into the control list shall be resolved by the President. Except in the case of a good or technology for which a validated license may be required under subsection (f)(4) or (h)(6) of this section, a good or technology shall be included on the control list only if the Secretary finds that controlled countries do not possess that good or technology, or a functionally equivalent good or technology, and the good or technology or functionally equivalent good or technology is not available in fact to a controlled country from sources outside the United States in sufficient quantity and of comparable quality so that the requirement of a validated license for the export of such good or technology is or would be ineffective in achieving the purpose set forth in subsection (a) of this section. The Secretary and the Secretary of Defense shall jointly submit a report to the Congress, not later than 1 year after the date of the enactment of the Export Administration Amendments Act of 1985, on actions taken to carry out this paragraph. For the purposes of this paragraph, assessment of whether a good or technology is functionally equivalent shall include consideration of the factors described in subsection (f)(3) of this section.

"(5) The Secretary of Defense shall establish a procedure for reviewing the goods and technology on the list of militarily critical

technologies at least annually for the purpose of removing from the list of militarily critical technologies any goods or technology that are no longer militarily critical. The Secretary of Defense may add to the list of militarily critical technologies any good or technology that the Secretary of Defense determines is militarily critical, consistent with the provisions of paragraph (2) of this subsection. If the Secretary and the Secretary of Defense disagree as to whether any change in the list of militarily critical technologies by the addition or removal of a good or technology should also be made in the control list, consistent with the provisions of the fourth sentence of paragraph (4) of this subsection, the President shall resolve the disagreement.

"(6) The establishment of adequate export controls for militarily critical technology and keystone equipment shall be accompanied by suitable reductions in the controls on the products of that technology and equipment.

"(7) The Secretary of Defense shall, not later than 1 year after the date of the enactment of the Export Administration Amendments Act of 1985, report to the Congress on efforts by the Department of Defense to assess the impact that the transfer of goods or technology on the list of militarily critical technologies to controlled countries has had or will have on the military capabilities of those countries."

#### SEC. 107. FOREIGN AVAILABILITY.

(a) **CONSULTATIONS ON FOREIGN AVAILABILITY.**—Section 5(f)(1) (50 U.S.C. App. 2404(f)(1)) is amended by inserting after "The Secretary, in consultation with" the following: "the Secretary of Defense and other".

(b) **DETERMINATIONS OF FOREIGN AVAILABILITY.**—Section 5(f)(3) is amended to read as follows:

"(3) The Secretary shall make a foreign availability determination under paragraph (1) or (2) on the Secretary's own initiative or upon receipt of an allegation from an export license applicant that such availability exists. In making any such determination, the Secretary shall accept the representations of applicants made in writing and supported by reasonable evidence, unless such representations are contradicted by reliable evidence, including scientific or physical examination, expert opinion based upon adequate factual information, or intelligence information. In making determinations of foreign availability, the Secretary may consider such factors as cost, reliability, the availability and reliability of spare parts and the cost and quality thereof, maintenance programs, durability, quality of end products produced by the item proposed for export, and scale of production. For purposes of this paragraph, 'evidence' may include such items as foreign manufacturers' catalogues, brochures, or operation or maintenance manuals, articles from reputable trade publications, photographs, and depositions based upon eyewitness accounts."

(c) **NEGOTIATIONS ON FOREIGN AVAILABILITY.**—Section 5(f)(4) is amended by striking out the first sentence and inserting in lieu thereof the following: "In any case in which export controls are maintained under this section notwithstanding foreign availability, on account of a determination by the President that the absence of the controls would prove detrimental to the national security of the United States, the President shall actively pursue negotiations with the govern-

ments of the appropriate foreign countries for the purpose of eliminating such availability. If, within 6 months after the President's determination, the foreign availability has not been eliminated, the Secretary may not, after the end of that 6-month period, require a validated license for the export of the goods or technology involved. The President may extend the 6-month period described in the preceding sentence for an additional period of 12 months if the President certifies to the Congress that the negotiations involved are progressing and that the absence of the export control involved would prove detrimental to the national security of the United States."

(d) OFFICE OF FOREIGN AVAILABILITY.—

(1) ESTABLISHMENT.—Section 5(f)(5) is amended to read as follows:

"(5) The Secretary shall establish in the Department of Commerce an Office of Foreign Availability which, in the fiscal year 1985, shall be under the direction of the Assistant Secretary of Commerce for Trade Administration, and, in the fiscal year 1986 and thereafter, shall be under the direction of the Under Secretary of Commerce for Export Administration. The Office shall be responsible for gathering and analyzing all the necessary information in order for the Secretary to make determinations of foreign availability under this Act. The Secretary shall make available to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate at the end of each 6-month period during a fiscal year information on the operations of the Office, and on improvements in the Government's ability to assess foreign availability, during that 6-month period, including information on the training of personnel, the use of computers, and the use of Foreign Commercial Service officers. Such information shall also include a description of representative determinations made under this Act during that 6-month period that foreign availability did or did not exist (as the case may be), together with an explanation of such determinations."

(2) CLERICAL AMENDMENT.—Section 5(f)(6) is amended by striking out "Office of Export Administration" and inserting in lieu thereof "Office of Foreign Availability".

(e) REGULATIONS ON FOREIGN AVAILABILITY.—Section 5(f) is amended by adding at the end the following new paragraph:

"(7) The Secretary shall issue regulations with respect to determinations of foreign availability under this Act not later than 6 months after the date of the enactment of the Export Administration Amendments Act of 1985."

(f) TECHNICAL ADVISORY COMMITTEES.—

(1) MEMBERSHIP.—Section 5(h)(1) is amended by inserting ", the intelligence community," after "Departments of Commerce, Defense, and State".

(2) MATTERS ON WHICH COMMITTEES CONSULTED.—Section 5(h)(2) is amended in the second sentence—

(A) by striking out "and" at the end of clause (C); and

(B) by inserting before the period at the end of the second sentence the following: ", and (E) any other questions relating to actions designed to carry out the policy set forth in section 3(2)(A) of this Act."

(3) FOREIGN AVAILABILITY CERTIFICATIONS.—Section 5(h)(6) is amended by striking out "and provides adequate documentation" and all that follows through the end of the paragraph and inserting in lieu thereof the

following: "the technical advisory committee shall submit that certification to the Congress at the same time the certification is made to the Secretary, together with the documentation for the certification. The Secretary shall investigate the foreign availability so certified and, not later than 90 days after the certification is made, shall submit a report to the technical advisory committee and the Congress stating that—

"(A) the Secretary has removed the requirement of a validated license for the export of the goods or technology, on account of the foreign availability,

"(B) the Secretary has recommended to the President that negotiations be conducted to eliminate the foreign availability, or

"(C) the Secretary has determined on the basis of the investigation that the foreign availability does not exist.

To the extent necessary, the report may be submitted on a classified basis. In any case in which the Secretary has recommended to the President that negotiations be conducted to eliminate the foreign availability, the President shall actively pursue such negotiations with the governments of the appropriate foreign countries. If, within 6 months after the Secretary submits such report to the Congress, the foreign availability has not been eliminated, the Secretary may not, after the end of that 6-month period, require a validated license for the export of the goods or technology involved. The President may extend the 6-month period described in the preceding sentence for an additional period of 12 months if the President certifies to the Congress that the negotiations involved are progressing and that the absence of the export control involved would prove detrimental to the national security of the United States."

(i) STANDARD FOR FOREIGN AVAILABILITY.—Subsections (f)(1), (f)(2), and (h)(6) of section 5 are each amended by striking out "sufficient quality" and inserting in lieu thereof "comparable quality".

(j) TECHNICAL AMENDMENTS.—Subsections (f)(1), (f)(4), and (h)(6) of section 5 are each amended by striking out "countries to which exports are controlled under this section" and inserting in lieu thereof "controlled countries".

SEC. 108. FOREIGN POLICY CONTROLS.

(a) AUTHORITY.—Section 6(a) (50 U.S.C. App. 2405(a)) is amended—

(1) in paragraph (1)—

(A) by striking out "or (8)" and inserting in lieu thereof "(8), or (13)"; and

(B) by inserting in the second sentence after "Secretary of State" the following: ", the Secretary of Defense, the Secretary of Agriculture, the Secretary of the Treasury, the United States Trade Representative,";

(2) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively;

(3) by inserting after paragraph (1) the following new paragraph:

"(2) Any export control imposed under this section shall apply to any transaction or activity undertaken with the intent to evade that export control, even if that export control would not otherwise apply to that transaction or activity,"; and

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection, by striking out "(e)" and inserting in lieu thereof "(f)".

(b) CRITERIA.—Section 6(b) is amended to read as follows:

"(b) CRITERIA.—(1) Subject to paragraph (2) of this subsection, the President may impose, extend, or expand export controls

under this section only if the President determines that—

"(A) such controls are likely to achieve the intended foreign policy purpose, in light of other factors, including the availability from other countries of the goods or technology proposed for such controls, and that foreign policy purpose cannot be achieved through negotiations or other alternative means;

"(B) the proposed controls are compatible with the foreign policy objectives of the United States and with overall United States policy toward the country to which exports are to be subject to the proposed controls;

"(C) the reaction of other countries to the imposition, extension, or expansion of such export controls by the United States is not likely to render the controls ineffective in achieving the intended foreign policy purpose or to be counterproductive to United States foreign policy interests;

"(D) the effect of the proposed controls on the export performance of the United States, the competitive position of the United States in the international economy, the international reputation of the United States as a supplier of goods and technology, or on the economic well-being of individual United States companies and their employees and communities does not exceed the benefit to United States foreign policy objectives; and

"(E) the United States has the ability to enforce the proposed controls effectively.

"(2) With respect to those export controls in effect under this section on the date of the enactment of the Export Administration Amendments Act of 1985, the President, in determining whether to extend those controls, as required by subsection (a)(3) of this section, shall consider the criteria set forth in paragraph (1) of this subsection and shall consider the foreign policy consequences of modifying the export controls."

(c) CONSULTATION WITH INDUSTRY.—Section 6(c) is amended to read as follows:

"(c) CONSULTATION WITH INDUSTRY.—The Secretary in every possible instance shall consult with and seek advice from affected United States industries and appropriate advisory committees established under section 135 of the Trade Act of 1974 before imposing any export control under this section. Such consultation and advice shall be with respect to the criteria set forth in subsection (b)(1) and such other matters as the Secretary considers appropriate."

(d) CONSULTATION WITH OTHER COUNTRIES.—Section 6 is amended—

(1) by redesignating subsections (d) through (k) as subsections (e) through (l), respectively; and

(2) by inserting after subsection (c) the following new subsection:

"(d) CONSULTATION WITH OTHER COUNTRIES.—When imposing export controls under this section, the President shall, at the earliest appropriate opportunity, consult with the countries with which the United States maintains export controls cooperatively, and with such other countries as the President considers appropriate, with respect to the criteria set forth in subsection (b)(1) and such other matters as the President considers appropriate."

(e) CONSULTATION WITH THE CONGRESS.—Section 6(f), as redesignated by subsection (d) of this section, is amended to read as follows:

"(f) CONSULTATION WITH THE CONGRESS.—(1) The President may impose or expand



export controls under this section, or extend such controls as required by subsection (a)(3) of this section, only after consultation with the Congress, including the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

"(2) The President may not impose, expand, or extend export controls under this section until the President has submitted to the Congress a report—

"(A) specifying the purpose of the controls;

"(B) specifying the determinations of the President (or, in the case of those export controls described in subsection (b)(2), the considerations of the President) with respect to each of the criteria set forth in subsection (b)(1), the bases for such determinations (or considerations), and any possible adverse foreign policy consequences of the controls;

"(C) describing the nature, the subjects, and the results of, or the plans for, the consultation with industry pursuant to subsection (c) and with other countries pursuant to subsection (d);

"(D) specifying the nature and results of any alternative means attempted under subsection (e), or the reasons for imposing, expanding, or extending the controls without attempting any such alternative means; and

"(E) describing the availability from other countries of goods or technology comparable to the goods or technology subject to the proposed export controls, and describing the nature and results of the efforts made pursuant to subsection (h) to secure the cooperation of foreign governments in controlling the foreign availability of such comparable goods or technology.

Such report shall also indicate how such controls will further significantly the foreign policy of the United States or will further its declared international obligations.

"(3) To the extent necessary to further the effectiveness of the export controls, portions of a report required by paragraph (2) may be submitted to the Congress on a classified basis, and shall be subject to the provisions of section 12(c) of this Act. Each such report shall, at the same time it is submitted to the Congress, also be submitted to the General Accounting Office for the purpose of assessing the report's full compliance with the intent of this subsection.

"(4) In the case of export controls under this section which prohibit or curtail the export of any agricultural commodity, a report submitted pursuant to paragraph (2) shall be deemed to be the report required by section 7(g)(3)(A) of this Act.

"(5) In addition to any written report required under this section, the Secretary, not less frequently than annually, shall present in oral testimony before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on policies and actions taken by the Government to carry out the provisions of this section."

(f) EXCLUSION OF CERTAIN ITEMS FROM FOREIGN POLICY CONTROLS.—Section 6(g), as redesignated by subsection (d) of this section, is amended—

(1) by inserting after the first sentence the following: "This section also does not authorize export controls on donations of goods (including, but not limited to, food, educational materials, seeds and hand tools, medicines and medical supplies, water resources equipment, clothing and shelter materials, and basic household supplies) that

are intended to meet basic human needs."; and

(2) by striking out the last sentence and inserting in lieu thereof the following: "This subsection shall not apply to any export control on medicine, medical supplies, or food, except for donations, which is in effect on the date of the enactment of the Export Administration Amendments Act of 1985. Notwithstanding the preceding provisions of this subsection, the President may impose export controls under this section on medicine, medical supplies, food, and donations of goods in order to carry out the policy set forth in paragraph (13) of section 3 of this Act."

(g) FOREIGN AVAILABILITY.—

(1) IN GENERAL.—Section 6(h), as redesignated by subsection (d) of this section, is amended—

(A) by inserting "(1)" immediately before the first sentence; and

(B) by adding at the end the following:

"(2) Before extending any export control pursuant to subsection (a)(3) of this section, the President shall evaluate the results of his actions under paragraph (1) of this subsection and shall include the results of that evaluation in his report to the Congress pursuant to subsection (f) of this section.

"(3) If, within 6 months after the date on which export controls under this section are imposed or expanded, or within 6 months after the date of the enactment of the Export Administration Amendments Act of 1985 in the case of export controls in effect on such date of enactment, the President's efforts under paragraph (1) are not successful in securing the cooperation of foreign governments described in paragraph (1) with respect to those export controls, the Secretary shall thereafter take into account the foreign availability of the goods or technology subject to the export controls. If the Secretary affirmatively determines that a good or technology subject to the export controls is available in sufficient quantity and comparable quality from sources outside the United States to countries subject to the export controls so that denial of an export license would be ineffective in achieving the purposes of the controls, then the Secretary shall, during the period of such foreign availability, approve any license application which is required for the export of the good or technology and which meets all requirements for such a license. The Secretary shall remove the good or technology from the list established pursuant to subsection (1) of this section if the Secretary determines that such action is appropriate.

"(4) In making a determination of foreign availability under paragraph (3) of this subsection, the Secretary shall follow the procedures set forth in section 5(f)(3) of this Act."

(2) AMENDMENTS NOT APPLICABLE TO CERTAIN EXISTING CONTROLS.—The amendments made by paragraph (1) of this subsection shall not apply to export controls in effect under subsection (i), (j), or (k) of section 6 of the Export Administration Act of 1979 (as redesignated by subsection (d) of this section) immediately before the date of the enactment of this Act, or to export controls made effective by subsection (1)(2) of this section or by section 6(n) of the Export Administration Act of 1979 (as added by subsection (1)(1) of this section).

(h) INTERNATIONAL OBLIGATIONS.—Section 6(i), as redesignated by subsection (d) of this section, is amended by striking out "(f), and (g)" and inserting in lieu thereof "(e), (g), and (h)".

(i) COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—

(1) IN GENERAL.—Section 6(j), as redesignated by subsection (d) of this section, is amended to read as follows:

"(j) COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—(1) The Secretary and the Secretary of State shall notify the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate at least 30 days before any license is approved for the export of goods or technology valued at more than \$7,000,000 to any country concerning which the Secretary of State has made the following determinations:

"(A) Such country has repeatedly provided support for acts of international terrorism.

"(B) Such exports would make a significant contribution to the military potential of such country, including its military logistics capability, or would enhance the ability of such country to support acts of international terrorism.

"(2) Any determination which has been made with respect to a country under paragraph (1) of this subsection may not be rescinded unless the President, at least 30 days before the proposed rescission would take effect, submits to the Congress a report justifying the rescission and certifying that—

"(A) the country concerned has not provided support for international terrorism, including support or sanctuary for any major terrorist or terrorist group in its territory, during the preceding 6-month period; and

"(B) the country concerned has provided assurances that it will not support acts of international terrorism in the future."

(2) APPLICABILITY TO PRIOR DETERMINATIONS.—Any determination with respect to any country which was made before January 1, 1982, under section 6(i) of the Export Administration Act of 1979, as in effect before the date of the enactment of this Act, and which was no longer in effect on the date of the enactment of this Act, shall be reinstated upon the expiration of 90 days after such date of enactment unless, within that 90-day period, the President submits a report under section 6(j)(2) of the Export Administration Act of 1979, as amended by subsection (d) of this section and paragraph (1) of this subsection, containing the certification described in such section 6(j)(2) with respect to that country.

(j) CRIME CONTROL INSTRUMENTS.—

(1) CONCURRENCE OF SECRETARY OF STATE.—Section 6(k)(1), as redesignated by subsection (d) of this section, is amended by adding at the end the following new sentence: "Notwithstanding any other provision of this Act—

"(A) any determination of the Secretary of what goods or technology shall be included on the list established pursuant to subsection (1) of this section as a result of the export restrictions imposed by this subsection shall be made with the concurrence of the Secretary of State, and

"(B) any determination of the Secretary to approve or deny an export license application to export crime control or detection instruments or equipment shall be made in concurrence with the recommendations of the Secretary of State submitted to the Secretary with respect to the application pursuant to section 10(e) of this Act,

except that, if the Secretary does not agree with the Secretary of State with respect to any determination under subparagraph (A) or (B), the matter shall be referred to the President for resolution."

(2) **APPLICABILITY OF AMENDMENT.**—The amendment made by paragraph (1) of this subsection shall apply to determinations of the Secretary of Commerce which are made on or after the date of the enactment of this Act.

(k) **CONTROL LIST.**—Section 6(l), as redesignated by subsection (d) of this section, is amended—

(1) in the first sentence by striking out "commodity"; and

(2) by amending the second sentence to read as follows: "The Secretary shall clearly identify on the control list which goods or technology, and which countries or destinations, are subject to which types of controls under this section."

(l) **ADDITIONAL PROVISIONS ON FOREIGN POLICY CONTROLS.**—

(1) **CONTRACT SANCTITY, EXTENSION OF CERTAIN CONTROLS, AND EXPANDED AUTHORITY.**—Section 6 is amended by adding at the end the following:

"(m) **EFFECT ON EXISTING CONTRACTS AND LICENSES.**—The President may not, under this section, prohibit or curtail the export or reexport of goods, technology, or other information—

"(1) in performance of a contract or agreement entered into before the date on which the President reports to the Congress, pursuant to subsection (f) of this section, his intention to impose controls on the export or reexport of such goods, technology, or other information, or

"(2) under a validated license or other authorization issued under this Act, unless and until the President determines and certifies to the Congress that—

"(A) a breach of the peace poses a serious and direct threat to the strategic interest of the United States,

"(B) the prohibition or curtailment of such contracts, agreements, licenses, or authorizations will be instrumental in remedying the situation posing the direct threat, and

"(C) the export controls will continue only so long as the direct threat persists.

"(n) **EXTENSION OF CERTAIN CONTROLS.**—Those export controls imposed under this section with respect to South Africa which were in effect on February 28, 1982, and ceased to be effective on March 1, 1982, September 15, 1982, or January 20, 1983, shall become effective on the date of the enactment of this subsection, and shall remain in effect until 1 year after such date of enactment. At the end of that 1-year period, any of those controls made effective by this subsection may be extended by the President in accordance with subsections (b) and (f) of this section.

"(o) **EXPANDED AUTHORITY TO IMPOSE CONTROLS.**—(1) In any case in which the President determines that it is necessary to impose controls under this section without any limitation contained in subsection (c), (d), (e), (g), (h), or (m) of this section, the President may impose those controls only if the President submits that determination to the Congress, together with a report pursuant to subsection (f) of this section with respect to the proposed controls, and only if a law is enacted authorizing the imposition of those controls. If a joint resolution authorizing the imposition of those controls is introduced in either House of Congress within 30 days after the Congress receives the de-

termination and report of the President, that joint resolution shall be referred to the Committee on Banking, Housing, and Urban Affairs of the Senate and to the appropriate committee of the House of Representatives. If either such committee has not reported the joint resolution at the end of 30 days after its referral, the committee shall be discharged from further consideration of the joint resolution.

"(2) For purposes of this subsection, the term 'joint resolution' means a joint resolution the matter after the resolving clause of which is as follows: 'That the Congress, having received on a determination of the President under section 6(o)(1) of the Export Administration Act of 1979 with respect to the export controls which are set forth in the report submitted to the Congress with that determination, authorizes the President to impose those export controls,' with the date of the receipt of the determination and report inserted in the blank.

"(3) In the computation of the periods of 30 days referred to in paragraph (1), there shall be excluded the days on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain or because of an adjournment of the Congress sine die."

(2) **APPLICABILITY OF AMENDMENTS.**—Subsections (m) and (o) of section 6 of the Export Administration Act of 1979, as added by paragraph (1) of this subsection, shall not apply to export controls in effect immediately before the date of the enactment of this Act, or to export controls made effective by subsection (1)(2) of this section or by section 6(n) of the Export Administration Act of 1979 (as added by paragraph (1) of this subsection).

**SEC. 109. PETITIONS FOR MONITORING OR SHORT SUPPLY CONTROLS.**

Section 7(c) (50 U.S.C. App. 2406(c)) is amended to read as follows:

"(c) **PETITIONS FOR MONITORING OR CONTROLS.**—(1)(A) Any entity, including a trade association, firm, or certified or recognized union or group of workers, that is representative of an industry or a substantial segment of an industry that processes metallic materials capable of being recycled may transmit a written petition to the Secretary requesting the monitoring of exports or the imposition of export controls, or both, with respect to any such material, in order to carry out the policy set forth in section 3(2)(C) of this Act.

"(B) Each petition shall be in such form as the Secretary shall prescribe and shall contain information in support of the action requested. The petition shall include any information reasonably available to the petitioner indicating that each of the criteria set forth in paragraph (3)(A) of this subsection is satisfied.

"(2) Within 15 days after receipt of any petition described in paragraph (1), the Secretary shall publish a notice in the Federal Register. The notice shall—

"(A) include the name of the material that is the subject of the petition,

"(B) include the Schedule B number of the material as set forth in the Statistical Classification of Domestic and Foreign Commodities Exported from the United States,

"(C) indicate whether the petitioner is requesting that controls or monitoring, or both, be imposed with respect to the exportation of such material, and

"(D) provide that interested persons shall have a period of 30 days beginning on the

date of publication of such notice to submit to the Secretary written data, views or arguments, with or without opportunity for oral presentation, with respect to the matter involved.

At the request of the petitioner or any other entity described in paragraph (1)(A) with respect to the material that is the subject of the petition, or at the request of any entity representative of producers or exporters of such material, the Secretary shall conduct public hearings with respect to the subject of the petition, in which case the 30-day period may be extended to 45 days.

"(3)(A) Within 45 days after the end of the 30- or 45-day period described in paragraph (2), as the case may be, the Secretary shall determine whether to impose monitoring or controls, or both, on the export of the material that is the subject of the petition, in order to carry out the policy set forth in section 3(2)(C) of this Act. In making such determination, the Secretary shall determine whether—

"(i) there has been a significant increase, in relation to a specific period of time, in exports of such material in relation to domestic supply and demand;

"(ii) there has been a significant increase in the domestic price of such material or a domestic shortage of such material relative to demand;

"(iii) exports of such material are as important as any other cause of a domestic price increase or shortage relative to demand found under clause (ii);

"(iv) a domestic price increase or shortage relative to demand found under clause (ii) has significantly adversely affected or may significantly adversely affect the national economy or any sector thereof, including a domestic industry; and

"(v) monitoring or controls, or both, are necessary in order to carry out the policy set forth in section 3(2)(C) of this Act.

"(B) The Secretary shall publish in the Federal Register a detailed statement of the reasons for the Secretary's determination pursuant to subparagraph (A) of whether to impose monitoring or controls, or both, including the findings of fact in support of that determination.

"(4) Within 15 days after making a determination under paragraph (3) to impose monitoring or controls on the export of a material, the Secretary shall publish in the Federal Register proposed regulations with respect to such monitoring or controls. Within 30 days after the publication of such proposed regulations, and after considering any public comments on the proposed regulations, the Secretary shall publish and implement final regulations with respect to such monitoring or controls.

"(5) For purposes of publishing notices in the Federal Register and scheduling public hearings pursuant to this subsection, the Secretary may consolidate petitions, and responses to such petitions, which involve the same or related materials.

"(6) If a petition with respect to a particular material or group of materials has been considered in accordance with all the procedures prescribed in this subsection, the Secretary may determine, in the absence of significantly changed circumstances, that any other petition with respect to the same material or group of materials which is filed within 6 months after the consideration of the prior petition has been completed does not merit complete consideration under this subsection.

"(7) The procedures and time limits set forth in this subsection with respect to a pe-



tion filed under this subsection shall take precedence over any review undertaken at the initiative of the Secretary with respect to the same subject as that of the petition.

"(8) The Secretary may impose monitoring or controls, on a temporary basis, on the export of a metallic material after a petition is filed under paragraph (1)(A) with respect to that material but before the Secretary makes a determination under paragraph (3) with respect to that material only if—

"(A) the failure to take such temporary action would result in irreparable harm to the entity filing the petition, or to the national economy or segment thereof, including a domestic industry, and

"(B) the Secretary considers such action to be necessary to carry out the policy set forth in section 3(2)(C) of this Act.

"(9) The authority under this subsection shall not be construed to affect the authority of the Secretary under any other provision of this Act, except that if the Secretary determines, on the Secretary's own initiative, to impose monitoring or controls, or both, on the export of metallic materials capable of being recycled, under the authority of this section, the Secretary shall publish the reasons for such action in accordance with paragraph (3)(A) and (B) of this subsection.

"(10) Nothing contained in this subsection shall be construed to preclude submission on a confidential basis to the Secretary of information relevant to a decision to impose or remove monitoring or controls under the authority of this Act, or to preclude consideration of such information by the Secretary in reaching decisions required under this subsection. The provisions of this paragraph shall not be construed to affect the applicability of section 552(b) of title 5, United States Code."

#### SEC. 110. SHORT SUPPLY CONTROLS.

(a) DOMESTICALLY PRODUCED CRUDE OIL.—Section 7(d) (50 U.S.C. App. 2406(d)) is amended—

(1) in paragraph (1) by striking out "unless" and all that follows through "met" and inserting in lieu thereof "subject to paragraph (2) of this subsection";

(2) in paragraph (2)(A) by striking out "makes and publishes" and inserting in lieu thereof "so recommends to the Congress after making and publishing";

(3) in paragraph (2)(B)—

(A) by striking out "reports such findings" and inserting in lieu thereof "includes such findings in his recommendation"; and

(B) by striking out "thereafter" and all that follows through the end of the sentence and inserting in lieu thereof "after receiving that recommendation, agrees to a joint resolution which approves such exports on the basis of those findings, and which is thereafter enacted into law."; and

(4) by adding at the end the following:

"(4) Notwithstanding the provisions of section 20 of this Act, the provisions of this subsection shall expire on September 30, 1990."

(b) REFINED PETROLEUM PRODUCTS.—Section 7(e)(1) is amended in the first sentence by striking out "No" and inserting in lieu thereof the following: "In any case in which the President determines that it is necessary to impose export controls on refined petroleum products in order to carry out the policy set forth in section 3(2)(C) of this Act, the President shall notify the Congress of that determination. The President shall also notify the Congress if and when he determines that such export controls are no longer necessary. During any period in

which a determination that such export controls are necessary is in effect, no".

(c) UNPROCESSED RED CEDAR.—Section 7(i) is amended—

(1) in the last sentence of paragraph (1) by inserting "harvested from State or Federal lands" after "red cedar logs";

(2) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(3) by inserting after paragraph (1) the following new paragraph:

"(2) To the maximum extent practicable, the Secretary shall utilize the multiple validated export licenses described in section 4(a)(2) of this Act in lieu of validated licenses for exports under this subsection."; and

(4) by amending paragraph (5)(A), as redesignated by paragraph (2) of this subsection, to read as follows:

"(A) lumber of American Lumber Standards Grades of Number 3 dimension or better, or Pacific Lumber Inspection Bureau Export R-List Grades of Number 3 common or better";

(d) AGRICULTURAL COMMODITIES.—Section 7(g)(3) is amended to read as follows:

"(3)(A) If the President imposes export controls on any agricultural commodity in order to carry out the policy set forth in paragraph (2)(B), (2)(C), (7), or (8) of section 3 of this Act, the President shall immediately transmit a report on such action to the Congress, setting forth the reasons for the controls in detail and specifying the period of time, which may not exceed 1 year, that the controls are proposed to be in effect. If the Congress, within 60 days after the date of its receipt of the report, adopts a joint resolution pursuant to paragraph (4) approving the imposition of the export controls, then such controls shall remain in effect for the period specified in the report, or until terminated by the President, whichever occurs first. If the Congress, within 60 days after the date of its receipt of such report, fails to adopt a joint resolution approving such controls, then such controls shall cease to be effective upon the expiration of that 60-day period.

"(B) The provisions of subparagraph (A) and paragraph (4) shall not apply to export controls—

"(i) which are extended under this Act if the controls, when imposed, were approved by the Congress under subparagraph (A) and paragraph (4); or

"(ii) which are imposed with respect to a country as part of the prohibition or curtailment of all exports to that country.

"(4)(A) For purposes of this paragraph, the term 'joint resolution' means only a joint resolution the matter after the resolving clause of which is as follows: 'That, pursuant to section 7(g)(3) of the Export Administration Act of 1979, the President may impose export controls as specified in the report submitted to the Congress on \_\_\_\_\_', with the blank space being filled with the appropriate date.

"(B) On the day on which a report is submitted to the House of Representatives and the Senate under paragraph (3), a joint resolution with respect to the export controls specified in such report shall be introduced (by request) in the House by the chairman of the Committee on Foreign Affairs, for himself and the ranking minority member of the Committee, or by Members of the House designated by the chairman and ranking minority member; and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself

and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate. If either House is not in session on the day on which such a report is submitted, the joint resolution shall be introduced in that House, as provided in the preceding sentence, on the first day thereafter on which that House is in session.

"(C) All joint resolutions introduced in the House of Representatives shall be referred to the appropriate committee and all joint resolutions introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs.

"(D) If the committee of either House to which a joint resolution has been referred has not reported the joint resolution at the end of 30 days after its referral, the committee shall be discharged from further consideration of the joint resolution or of any other joint resolution introduced with respect to the same matter.

"(E) A joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976. For the purpose of expediting the consideration and passage of joint resolutions reported or discharged pursuant to the provisions of this paragraph, it shall be in order for the Committee on Rules of the House of Representatives to present for consideration a resolution of the House of Representatives providing procedures for the immediate consideration of a joint resolution under this paragraph which may be similar, if applicable, to the procedures set forth in section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976.

"(F) In the case of a joint resolution described in subparagraph (A), if, before the passage by one House of a joint resolution of that House, that House receives a resolution with respect to the same matter from the other House, then—

"(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

"(ii) the vote on final passage shall be on the joint resolution of the other House.

"(5) In the computation of the period of 60 days referred to in paragraph (3) and the period of 30 days referred to in subparagraph (D) of paragraph (4), there shall be excluded the days on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain or because of an adjournment of the Congress sine die."

(e) CONTRACT SANCTITY.—Section 7 is amended by striking out subsection (j) and inserting in lieu thereof the following:

"(j) EFFECT OF CONTROLS ON EXISTING CONTRACTS.—The export restrictions contained in subsection (i) of this section and any export controls imposed under this section shall not affect any contract to harvest unprocessed western red cedar from State lands which was entered into before October 1, 1979, and the performance of which would make the red cedar available for export. Any export controls imposed under this section on any agricultural commodity (including fats, oils, and animal hides and skins) or on any forest product or fishery product, shall not affect any contract to export entered into before the date on which such controls are imposed. For purposes of this subsection, the term 'contract to export' includes, but is not limited to, an export sales agreement and an agreement to

invest in an enterprise which involves the export of goods or technology.”.

#### SEC. 111. LICENSING PROCEDURES.

(a) REDUCTION OF PROCESSING TIME.—Section 10 (50 U.S.C. App. 2409) is amended—

(1) by striking out “60” each place it appears and inserting in lieu thereof “40”;

(2) by striking out “90” each place it appears and inserting in lieu thereof “60”; and

(3) by striking out “30” each place it appears and inserting in lieu thereof “20”.

(b) AMENDMENTS WITH REGARD TO EXPORTS TO COCOM COUNTRIES.—

(1) ACTION ON APPLICATIONS NOT REFERRED TO OTHER DEPARTMENTS OR AGENCIES.—Section 10(c) is amended by striking out “In each case” and inserting in lieu thereof “Except as provided in subsection (o), in each case”.

(2) REFERRALS TO OTHER DEPARTMENTS AND AGENCIES.—Section 10(d) is amended—

(A) by striking out “In each case” and inserting in lieu thereof “Except in the case of exports described in subsection (o), in each case”; and

(B) by adding at the end the following: “Notwithstanding the 10-day period set forth in subsection (b), in the case of exports described in subsection (o), in each case in which the Secretary determines that it is necessary to refer an application to any other department or agency for its information and recommendations, the Secretary shall, immediately upon receipt of the properly completed application, refer the application to such department or agency for its review. Such review shall be concurrent with that of the Department of Commerce.”.

(3) ACTION BY OTHER DEPARTMENTS AND AGENCIES.—Section 10(e) is amended—

(A) in paragraph (1) by striking out the first sentence and inserting in lieu thereof the following: “Any department or agency to which an application is referred pursuant to subsection (d) shall submit to the Secretary the information or recommendations requested with respect to the application. The information or recommendations shall be submitted within 20 days after the department or agency receives the application or, in the case of exports described in subsection (o), before the expiration of the time periods permitted by that subsection.”; and

(B) in paragraph (2)—

(i) by striking out “If the head” and inserting in lieu thereof “(A) Except in the case of exports described in subsection (o), if the head”; and

(ii) by adding at the end the following:

“(B) In the case of exports described in subsection (o), if the head of any such department or agency notifies the Secretary, before the expiration of the 15-day period provided in subsection (o)(1), that more time is required for review by such department or agency, the Secretary shall notify the applicant, pursuant to subsection (o)(1)(C), that additional time is required to consider the application, and such department or agency shall have additional time to consider the application within the limits permitted by subsection (o)(2). If such department or agency does not submit its recommendations within the time periods permitted under subsection (o), it shall be deemed by the Secretary to have no objection to the approval of such application.”.

(4) ACTION BY THE SECRETARY.—Section 10(f) is amended in paragraphs (1) and (4) by adding at the end of each such paragraph the following: “The provisions of this paragraph shall not apply in the case of exports described in subsection (o).”.

(c) RIGHT OF APPLICANT TO RESPOND TO NEGATIVE RECOMMENDATIONS.—Section 10(f)(2) is amended—

(1) by inserting “in writing” after “inform the applicant”; and

(2) by striking out “, and shall accord” and all that follows through the end of the paragraph and inserting in lieu thereof the following: “. Before a final determination with respect to the application is made, the applicant shall be entitled—

“(A) to respond in writing to such questions, considerations, or recommendations within 30 days after receipt of such information from the Secretary; and

“(B) upon the filing of a written request with the Secretary within 15 days after the receipt of such information, to respond in person to the department or agency raising such questions, considerations, or recommendations.

The provisions of this paragraph shall not apply in the case of exports described in subsection (o).”.

(d) RIGHTS OF APPLICANT WITH RESPECT TO PROPOSED DENIAL.—Section 10(f)(3) is amended by striking out the first sentence and inserting in lieu thereof the following: “In cases where the Secretary has determined that an application should be denied, the applicant shall be informed in writing, within 5 days after such determination is made, of—

“(A) the determination,

“(B) the statutory basis for the proposed denial,

“(C) the policies set forth in section 3 of this Act which would be furthered by the proposed denial,

“(D) what if any modifications in or restrictions on the goods or technology for which the license was sought would allow such export to be compatible with export controls imposed under this Act,

“(E) which officers and employees of the Department of Commerce who are familiar with the application will be made reasonably available to the applicant for considerations with regard to such modifications or restrictions, if appropriate,

“(F) to the extent consistent with the national security and foreign policy of the United States, the specific considerations which led to the determination to deny the application, and

“(G) the availability of appeal procedures.

The Secretary shall allow the applicant at least 30 days to respond to the Secretary's determination before the license application is denied.”.

(e) ADDITIONAL PROVISIONS.—Section 10 is amended—

(1) in the section heading by adding “; OTHER INQUIRIES” after “APPLICATIONS”; and

(2) by adding at the end the following new subsections:

“(k) CHANGES IN REQUIREMENTS FOR APPLICATIONS.—Except as provided in subsection (b)(3) of this section, in any case in which, after a license application is submitted, the Secretary changes the requirements for such a license application, the Secretary may request appropriate additional information of the applicant, but the Secretary may not return the application to the applicant without action because it fails to meet the changed requirements.

“(l) OTHER INQUIRIES.—(1) In any case in which the Secretary receives a written request asking for the proper classification of a good or technology on the control list, the Secretary shall, within 10 working days after receipt of the request, inform the person making the request of the proper classification.

“(2) In any case in which the Secretary receives a written request for information about the applicability of export license requirements under this Act to a proposed export transaction or series of transactions, the Secretary shall, within 30 days after receipt of the request, reply with that information to the person making the request.

“(m) SMALL BUSINESS ASSISTANCE.—Not later than 120 days after the date of the enactment of this subsection, the Secretary shall develop and transmit to the Congress a plan to assist small businesses in the export licensing application process under this Act. The plan shall include, among other things, arrangements for counseling small businesses on filing applications and identifying goods or technology on the control list, proposals for seminars and conferences to educate small businesses on export controls and licensing procedures, and the preparation of informational brochures.

“(n) REPORTS ON LICENSE APPLICATIONS.—(1) Not later than 180 days after the date of the enactment of this subsection, and not later than the end of each 3-month period thereafter, the Secretary shall submit to the Committee on Foreign Affairs of the House of Representatives and to the Committee on Banking, Housing, and Urban Affairs of the Senate a report listing—

“(A) all applications on which action was completed during the preceding 3-month period and which required a period longer than the period permitted under subsection (c), (f)(1), or (h) of this section, as the case may be, before notification of a decision to approve or deny the application was sent to the applicant; and

“(B) in a separate section, all applications which have been in process for a period longer than the period permitted under subsection (c), (f)(1), or (h) of this section, as the case may be, and upon which final action has not been taken.

“(2) With regard to each application, each listing shall identify—

“(A) the application case number;

“(B) the value of the goods or technology to which the application relates;

“(C) the country of destination of the goods or technology;

“(D) the date on which the application was received by the Secretary;

“(E) the date on which the Secretary approved or denied the application;

“(F) the date on which the notification of approval or denial of the application was sent to the applicant; and

“(G) the total number of days which elapsed between receipt of the application, in its properly completed form, and the earlier of the last day of the 3-month period to which the report relates, or the date on which notification of approval or denial of the application was sent to the applicant.

“(3) With respect to an application which was referred to other departments or agencies, the listing shall also include—

“(A) the departments or agencies to which the application was referred;

“(B) the date or dates of such referral; and

“(C) the date or dates on which recommendations were received from those departments or agencies.

“(4) With respect to an application referred to any other department or agency which did not submit or has not submitted its recommendations on the application within the period permitted under subsection (e) of this section to submit such recommendations, the listing shall also include—



"(A) the office responsible for processing the application and the position of the officer responsible for the office; and

"(B) the period of time that elapsed before the recommendations were submitted or that has elapsed since referral of the application, as the case may be.

"(5) Each report shall also provide an introduction which contains—

"(A) a summary of the number of applications described in paragraph (1)(A) and (B) of this subsection, and the value of the goods or technology involved in the applications, grouped according to—

"(i) the number of days which elapsed before action on the applications was completed, or which has elapsed without action on the applications being completed, as follows: 61 to 75 days, 76 to 90 days, 91 to 105 days, 106 to 120 days, and more than 120 days; and

"(ii) the number of days which elapsed before action on the applications was completed, or which has elapsed without action on the applications being completed, beyond the period permitted under subsection (c), (f)(1), or (h) of this section for the processing of applications, as follows: not more than 15 days, 16 to 30 days, 31 to 45 days, 46 to 60 days, and more than 60 days; and

"(B) a summary by country of destination of the number of applications described in paragraph (1)(A) and (B) of this subsection, and the value of the goods or technology involved in the applications, on which action was not completed within 60 days.

"(C) EXPORTS TO MEMBERS OF COORDINATING COMMITTEE.—(1) Fifteen working days after the date of formal filing with the Secretary of an individual validated license application for the export of goods or technology to a country that maintains export controls on such goods or technology pursuant to the agreement of the governments participating in the group known as the Coordinating Committee, a license for the transaction specified in the application shall become valid and effective and the goods or technology are authorized for export pursuant to such license unless—

"(A) the application has been otherwise approved by the Secretary, in which case it shall be valid and effective according to the terms of the approval;

"(B) the application has been denied by the Secretary pursuant to this section and the applicant has been so informed, or the applicant has been informed, pursuant to subsection (f)(3) of this section, that the application should be denied; or

"(C) the Secretary requires additional time to consider the application and the applicant has been so informed.

"(2) In the event that the Secretary notifies an applicant pursuant to paragraph (1)(C) that more time is required to consider an individual validated license application, a license for the transaction specified in the application shall become valid and effective and the goods or technology are authorized for export pursuant to such license 30 working days after the date that such license application was formally filed with the Secretary unless—

"(A) the application has been otherwise approved by the Secretary, in which case it shall be valid and effective according to the terms of the approval; or

"(B) the application has been denied by the Secretary pursuant to this section and the applicant has been so informed, or the applicant has been informed, pursuant to subsection (f)(3) of this section, that the application should be denied.

"(3) In reviewing an individual license application subject to this subsection, the Secretary shall evaluate the information set forth in the application and the reliability of the end-user.

"(4) Nothing in this subsection shall affect the scope or availability of licenses authorizing multiple exports set forth in section 4(a)(2) of this Act.

"(5) The provisions of this subsection shall take effect 4 months after the date of the enactment of the Export Administration Amendments Act of 1985."

#### SEC. 112. VIOLATIONS.

(a) IN GENERAL.—Section 11(a) (50 U.S.C. App. 2410(a)) is amended by inserting after "violates" the following: "or conspires to or attempts to violate".

(b) WILLFUL VIOLATIONS.—Section 11(b) is amended—

(1) in paragraph (1)—

(A) by striking out "exports anything contrary to" and inserting in lieu thereof "violates or conspires to or attempts to violate";

(B) by striking out "such exports" and inserting in lieu thereof "the exports involved";

(C) by inserting after "benefit of" the following: ", or that the destination or intended destination of the goods or technology involved is,"; and

(D) by striking out "country to which exports are restricted for national security or" and inserting in lieu thereof "controlled country or any country to which exports are controlled for";

(2) in paragraph (2) by striking out the last sentence; and

(3) by adding after paragraph (2) the following new paragraphs:

"(3) Any person who possesses any goods or technology—

"(A) with the intent to export such goods or technology in violation of an export control imposed under section 5 or 6 of this Act or any regulation, order, or license issued with respect to such control, or

"(B) knowing or having reason to believe that the goods or technology would be so exported,

shall, in the case of a violation of an export control imposed under section 5 (or any regulation, order, or license issued with respect to such control), be subject to the penalties set forth in paragraph (1) of this subsection and shall, in the case of a violation of an export control imposed under section 6 (or any regulation, order, or license issued with respect to such control), be subject to the penalties set forth in subsection (a).

"(4) Any person who takes any action with the intent to evade the provisions of this Act or any regulation, order, or license issued under this Act shall be subject to the penalties set forth in subsection (a), except that in the case of an evasion of an export control imposed under section 5 or 6 of this Act (or any regulation, order, or license issued with respect to such control), such person shall be subject to the penalties set forth in paragraph (1) of this subsection.

"(5) Nothing in this subsection or subsection (a) shall limit the power of the Secretary to define by regulations violations under this Act."

(c) CIVIL PENALTIES; ADMINISTRATIVE SANCTIONS.—Section 11(c) is amended—

(1) by striking out "head" and all that follows in paragraph (1) through "thereof," and inserting in lieu thereof "Secretary (and officers and employees of the Department of Commerce specifically designated by the Secretary)"; and

(2) by adding at the end the following new paragraphs:

"(3) An exception may not be made to any order issued under this Act which revokes the authority of a United States person to export goods or technology unless the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate are first consulted concerning the exception.

"(4) The President may by regulation provide standards for establishing levels of civil penalty provided in this subsection based upon the seriousness of the violation, the culpability of the violator, and the violator's record of cooperation with the Government in disclosing the violation."

(d) REFUNDS OF PENALTIES.—Section 11(e) is amended—

(1) by inserting after "subsection (c)" the following: ", or any amounts realized from the forfeiture of any property interest or proceeds pursuant to subsection (g)."; and

(2) by inserting after "refund any such penalty" the following: "imposed pursuant to subsection (c)".

(e) FORFEITURES; PRIOR CONVICTIONS.—Section 11 is amended—

(1) by redesignating subsection (g) as subsection (i); and

(2) by inserting after subsection (f) the following new subsections:

"(g) FORFEITURE OF PROPERTY INTEREST AND PROCEEDS.—(1) Any person who is convicted under subsection (a) or (b) of a violation of an export control imposed under section 5 of this Act (or any regulation, order, or license issued with respect to such control) shall, in addition to any other penalty, forfeit to the United States—

"(A) any of that person's interest in, security of, claim against, or property or contractual rights of any kind in the goods or tangible items that were the subject of the violation;

"(B) any of that person's interest in, security of, claim against, or property or contractual rights of any kind in tangible property that was used in the export or attempt to export that was the subject of the violation; and

"(C) any of that person's property constituting, or derived from, any proceeds obtained directly or indirectly as a result of the violation.

"(2) The procedures in any forfeiture under this subsection, and the duties and authority of the courts of the United States and the Attorney General with respect to any forfeiture action under this subsection or with respect to any property that may be subject to forfeiture under this subsection, shall be governed by the provisions of section 1963 of title 18, United States Code.

"(h) PRIOR CONVICTIONS.—No person convicted of a violation of section 793, 794, or 798 of title 18, United States Code, section 4(b) of the Internal Security Act of 1950 (50 U.S.C. 783(b)), or section 38 of the Arms Export Control Act (22 U.S.C. 2778) shall be eligible, at the discretion of the Secretary, to apply for or use any export license under this Act for a period of up to 10 years from the date of the conviction. The Secretary may revoke any export license under this Act in which such person has an interest at the time of the conviction."

(f) TECHNICAL AMENDMENT.—Section 11(i), as redesignated by subsection (e) of this section, is amended by striking out "or (f)" and inserting in lieu thereof "(f), (g), or (h)".

#### SEC. 113. ENFORCEMENT.

(a) GENERAL AUTHORITY.—Section 12(a) (50 U.S.C. App. 2411(a)) is amended—

(1) by inserting "(1)" immediately before the first sentence;

(2) by striking out "such investigations and" and inserting in lieu thereof "such investigations within the United States, and the Commissioner of Customs (and officers or employees of the United States Customs Service specifically designated by the Commissioner) may make such investigations outside of the United States, and the head of such department or agency (and such officers or employees) may";

(3) by striking out "the district court of the United States for any district in which such person is found or resides or transacts business, upon application, and" and inserting in lieu thereof "a district court of the United States";

(4) by adding at the end the following new sentence: "In addition to the authority conferred by this paragraph, the Secretary (and officers or employees of the Department of Commerce designated by the Secretary) may conduct, outside the United States, pre-license investigations and post-shipment verifications of items licensed for export, and investigations in the enforcement of section 8 of this Act."; and

(5) by adding at the end the following new paragraphs:

"(2)(A) Subject to subparagraph (B) of this paragraph, the United States Customs Service is authorized, in the enforcement of this Act, to search, detain (after search), and seize goods or technology at those ports of entry or exit from the United States where officers of the Customs Service are authorized by law to conduct such searches, detentions, and seizures, and at those places outside the United States where the Customs Service, pursuant to agreements or other arrangements with other countries, is authorized to perform enforcement activities.

"(B) An officer of the United States Customs Service may do the following in carrying out enforcement authority under this Act:

"(i) Stop, search, and examine a vehicle, vessel, aircraft, or person on which or whom such officer has reasonable cause to suspect there are any goods or technology that has been, is being, or is about to be exported from the United States in violation of this Act.

"(ii) Search any package or container in which such officer has reasonable cause to suspect there are any goods or technology that has been, is being, or is about to be exported from the United States in violation of this Act.

"(iii) Detain (after search) or seize and secure for trial any goods or technology on or about such vehicle, vessel, aircraft, or person, or in such package or container, if such officer has probable cause to believe the goods or technology has been, is being, or is about to be exported from the United States in violation of this Act.

"(iv) Make arrests without warrant for any violation of this Act committed in his or her presence or view or if the officer has probable cause to believe that the person to be arrested has committed or is committing such a violation.

The arrest authority conferred by clause (iv) of this subparagraph is in addition to any arrest authority under other laws.

"(3)(A) Subject to subparagraph (B) of this paragraph, the Secretary shall have the responsibility for the enforcement of section 8 of this Act and, in the enforcement of the other provisions of this Act, the Secretary is authorized to search, detain (after

search), and seize goods or technology at those places within the United States other than those ports specified in paragraph (2)(A) of this subsection. The search, detention (after search), or seizure of goods or technology at those ports and places specified in paragraph (2)(A) may be conducted by officers or employees of the Department of Commerce designated by the Secretary with the concurrence of the Commissioner of Customs or a person designated by the Commissioner.

"(B) The Secretary may designate any employee of the Office of Export Enforcement of the Department of Commerce to do the following in carrying out enforcement authority under this Act:

"(i) Execute any warrant or other process issued by a court or officer of competent jurisdiction with respect to the enforcement of the provisions of this Act.

"(ii) Make arrests without warrant for any violation of this Act committed in his or her presence or view, or if the officer or employee has probable cause to believe that the person to be arrested has committed or is committing such a violation.

"(iii) Carry firearms in carrying out any activity described in clause (i) or (ii).

"(4) The authorities conferred by paragraphs (2) and (3) shall be exercised pursuant to regulations promulgated by the Attorney General concerning searches, detentions, stops, examinations, seizures, arrests, execution of warrants, or use of firearms.

"(5) All cases involving violations of this Act shall be referred to the Secretary for purposes of determining civil penalties and administrative sanctions under section 11(c) of this Act, or to the Attorney General for criminal action in accordance with this Act.

"(6) Notwithstanding any other provision of law, the United States Customs Service may expend in the enforcement of export controls under this Act not more than \$12,000,000 in the fiscal year 1985 and not more than \$14,000,000 in the fiscal year 1986.

"(7) Not later than 90 days after the date of the enactment of the Export Administration Amendments Act of 1985, the Secretary, with the concurrence of the Secretary of the Treasury, shall publish in the Federal Register procedures setting forth, in accordance with this subsection, the responsibilities of the Department of Commerce and the United States Customs Service in the enforcement of this Act. In addition, the Secretary, with the concurrence of the Secretary of the Treasury, may publish procedures for the sharing of information in accordance with subsection (c)(3) of this section, and procedures for the submission to the appropriate departments and agencies by private persons of information relating to the enforcement of this Act.

"(8) For purposes of this section, a reference to the enforcement of this Act or to a violation of this Act includes a reference to the enforcement or a violation of any regulation, order, or license issued under this Act."

(b) CONFIDENTIALITY.—Section 12(c)(3) is amended—

(1) by striking out "Departments or agencies which obtain" and inserting in lieu thereof "Any department or agency which obtains";

(2) by inserting ", including information pertaining to any investigation," after "enforcement of this Act";

(3) by striking out "the department" and inserting in lieu thereof "each department"; and

(4) by adding at the end the following: "The Secretary and the Commissioner of Customs, upon request, shall exchange any licensing and enforcement information with each other which is necessary to facilitate enforcement efforts and effective license decisions. The Secretary, the Attorney General, and the Commissioner of Customs shall consult on a continuing basis with one another and with the heads of other departments and agencies which obtain information subject to this paragraph, in order to facilitate the exchange of such information."

#### SEC. 114. ADMINISTRATIVE PROCEDURE.

Section 13 (50 U.S.C. App. 2412) is amended—

(1) in the section heading by striking out "EXEMPTION FROM CERTAIN PROVISIONS RELATING TO";

(2) in subsection (a) by inserting "and subsection (c) of this section" after "11(c)(2)"; and

(3) by adding at the end the following:

"(c) PROCEDURES RELATING TO CIVIL PENALTIES AND SANCTIONS.—(1) In any case in which a civil penalty or other civil sanction (other than a temporary denial order or a penalty or sanction for a violation of section 8) is sought under section 11 of this Act, the charged party is entitled to receive a formal complaint specifying the charges and, at his or her request, to contest the charges in a hearing before an administrative law judge. Subject to the provisions of this subsection, any such hearing shall be conducted in accordance with sections 556 and 557 of title 5, United States Code. With the approval of the administrative law judge, the Government may present evidence in camera in the presence of the charged party or his or her representative. After the hearing, the administrative law judge shall make findings of fact and conclusions of law in a written decision, which shall be referred to the Secretary. The Secretary shall, in a written order, affirm, modify, or vacate the decision of the administrative law judge within 30 days after receiving the decision. The order of the Secretary shall be final and is not subject to judicial review.

"(2) The proceedings described in paragraph (1) shall be concluded within a period of 1 year after the complaint is submitted, unless the administrative law judge extends such period for good cause shown.

"(d) IMPOSITION OF TEMPORARY DENIAL ORDERS.—(1) In any case in which it is necessary, in the public interest, to prevent an imminent violation of this Act or any regulation, order, or license issued under this Act, the Secretary may, without a hearing, issue an order temporarily denying United States export privileges (hereinafter in this subsection referred to as a 'temporary denial order') to a person. A temporary denial order may be effective no longer than 60 days unless renewed in writing by the Secretary for additional 60-day periods in order to prevent such an imminent violation, except that a temporary denial order may be renewed only after notice and an opportunity for a hearing is provided.

"(2) A temporary denial order shall define the imminent violation and state why the temporary denial order was granted without a hearing. The person or persons subject to the issuance or renewal of a temporary denial order may file an appeal of the issuance or renewal of the temporary denial order with an administrative law judge who shall, within 10 working days after the appeal is filed, recommend that the tempo-



rary denial order be affirmed, modified, or vacated. Parties may submit briefs and other material to the judge. The recommendation of the administrative law judge shall be submitted to the Secretary who shall either accept, reject, or modify the recommendation by written order within 5 working days after receiving the recommendation. The written order of the Secretary under the preceding sentence shall be final and is not subject to judicial review. The temporary denial order shall be affirmed only if it is reasonable to believe that the order is required in the public interest to prevent an imminent violation of this Act or any regulation, order, or license issued under this Act.

"(e) APPEALS FROM LICENSE DENIALS.—A determination of the Secretary, under section 10(f) of this Act, to deny a license may be appealed by the applicant to an administrative law judge who shall have the authority to conduct proceedings to determine only whether the item sought to be exported is in fact on the control list. Such proceedings shall be conducted within 90 days after the appeal is filed. Any determination by an administrative law judge under this subsection and all materials filed before such judge in the proceedings shall be reviewed by the Secretary, who shall either affirm or vacate the determination in a written decision within 30 days after receiving the determination. The Secretary's written decision shall be final and is not subject to judicial review. Subject to the limitations provided in section 12(c) of this Act, the Secretary's decision shall be published in the Federal Register."

#### SEC. 115. ANNUAL REPORT.

(a) CONTENTS OF REPORT.—Section 14(a)(15) (50 U.S.C. App. 2413(a)(15)) is amended by striking out "an analysis" and all that follows through "process, and".

(b) ADDITIONAL REPORTING REQUIREMENTS.—Section 14 is amended by adding at the end the following:

"(d) REPORT ON EXPORTS TO CONTROLLED COUNTRIES.—The Secretary shall include in each annual report a detailed report which lists every license for exports to controlled countries which was approved under this Act during the preceding fiscal year. Such report shall specify to whom the license was granted, the type of goods or technology exported, and the country receiving the goods or technology. The information required by this subsection shall be subject to the provisions of section 12(c) of this Act.

"(e) REPORT ON DOMESTIC ECONOMIC IMPACT OF EXPORTS TO CONTROLLED COUNTRIES.—The Secretary shall include in each annual report a detailed description of the extent of injury to United States industry and the extent of job displacement caused by United States exports of goods and technology to controlled countries. The annual report shall also include a full analysis of the consequences of exports of turnkey plants and manufacturing facilities to controlled countries which are used by such countries to produce goods for export to the United States or to compete with United States products in export markets."

#### SEC. 116. UNDER SECRETARY OF COMMERCE FOR EXPORT ADMINISTRATION; REGULATIONS.

(a) IN GENERAL.—Section 15 (50 U.S.C. App. 2414) is amended to read as follows:

"ADMINISTRATIVE AND REGULATORY AUTHORITY

"SEC. 15. (a) UNDER SECRETARY OF COMMERCE.—The President shall appoint, by and with the advice and consent of the Senate, an Under Secretary of Commerce for

Export Administration who shall carry out all functions of the Secretary under this Act which were delegated to the office of the Assistant Secretary of Commerce for Trade Administration before the date of the enactment of the Export Administration Amendments Act of 1985, and such other functions under this Act which were delegated to such office before such date of enactment, as the Secretary may delegate. The Secretary shall designate three Assistant Secretaries of Commerce to assist the Under Secretary in carrying out such functions.

"(b) ISSUANCE OF REGULATIONS.—The President and the Secretary may issue such regulations as are necessary to carry out the provisions of this Act. Any such regulations issued to carry out the provisions of section 5(a), 6(a), 7(a), or 8(b) may apply to the financing, transporting, or other servicing of exports and the participation therein by any person. Any such regulations the purpose of which is to carry out the provisions of section 5, or of section 4(a) for the purpose of administering the provisions of section 5, may be issued only after the regulations are submitted for review to the Secretary of Defense, the Secretary of State, and such other departments and agencies as the Secretary considers appropriate. The preceding sentence does not require the concurrence or approval of any official, department, or agency to which such regulations are submitted.

"(c) AMENDMENTS TO REGULATIONS.—If the Secretary proposes to amend regulations issued under this Act, the Secretary shall report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives on the intent and rationale of such amendments. Such report shall evaluate the cost and burden to United States exporters of the proposed amendments in relation to any enhancement of licensing objectives. The Secretary shall consult with the technical advisory committees authorized under section 5(h) of this Act in formulating or amending regulations issued under this Act. The procedures defined by regulations in effect on January 1, 1984, with respect to sections 4 and 5 of this Act, shall remain in effect unless the Secretary determines, on the basis of substantial and reliable evidence, that specific change is necessary to enhance the prevention of diversions of exports which would prove detrimental to the national security of the United States or to reduce the licensing and paperwork burden on exporters and their distributors."

(b) PAY FOR THE UNDER SECRETARY.—Section 5314 of title 5, United States Code, is amended by inserting "Under Secretary of Commerce for Export Administration," after "Under Secretary of Commerce for Economic Affairs,".

(c) PAY FOR THE ASSISTANT SECRETARIES.—Section 5315 of such title is amended by striking out

"Assistant Secretaries of Commerce (8)." and inserting in lieu thereof

"Assistant Secretaries of Commerce (12)."

(d) EFFECTIVE DATE.—The provisions of section 15(a) of the Export Administration Act of 1979, as amended by subsection (a) of this section, and the amendments made by subsections (b) and (c) of this section shall take effect on October 1, 1985.

(e) BUDGET ACT.—Any new spending authority (within the meaning of section 401 of the Congressional Budget Act of 1974) which is provided under this section shall be effective for any fiscal year only to the

extent or in such amounts as are provided in appropriation Acts.

#### SEC. 117. DEFINITIONS.

Section 16 (50 U.S.C. App. 2415) is amended—

(1) in paragraph (3), by inserting "natural or manmade substance," after "article,";

(2) by amending paragraph (4) to read as follows:

"(4) the term 'technology' means the information and know-how (whether in tangible form, such as models, prototypes, drawings, sketches, diagrams, blueprints, or manuals, or in intangible form, such as training or technical services) that can be used to design, produce, manufacture, utilize, or reconstruct goods, including computer software and technical data, but not the goods themselves;"

(3) by redesignating paragraph (5) as paragraph (8); and

(4) by inserting after paragraph (4) the following new paragraphs:

"(5) the term 'export' means—

"(A) an actual shipment, transfer, or transmission of goods or technology out of the United States;

"(B) a transfer of goods or technology in the United States to an embassy or affiliate of a controlled country; or

"(C) a transfer to any person of goods or technology either within the United States or outside of the United States with the knowledge or intent that the goods or technology will be shipped, transferred, or transmitted to an unauthorized recipient;

"(6) the term 'controlled country' means a controlled country under section 5(b)(1) of this Act;

"(7) the term 'United States' means the States of the United States, the District of Columbia, and any commonwealth, territory, dependency, or possession of the United States, and includes the outer Continental Shelf, as defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a)); and"

#### SEC. 118. EFFECT ON OTHER ACTS.

(a) CLARIFYING AMENDMENT.—Section 17(a) (50 U.S.C. App. 2416(a)) is amended by striking out "Nothing" and inserting in lieu thereof "Except as otherwise provided in this Act, nothing".

(b) ACT NOT TO AFFECT CERTAIN PROVISIONS OF AGRICULTURAL ACT OF 1970.—Section 17 is amended by adding at the end the following:

"(f) AGRICULTURAL ACT OF 1970.—Nothing in this Act shall affect the provisions of the last sentence of section 812 of the Agricultural Act of 1970 (7 U.S.C. 612c-3)."

#### SEC. 119. AUTHORIZATION OF APPROPRIATIONS.

Section 18 (50 U.S.C. App. 2417) is amended to read as follows:

#### "AUTHORIZATION OF APPROPRIATIONS

"SEC. 18. (a) REQUIREMENT OF AUTHORIZING LEGISLATION.—(1) Notwithstanding any other provision of law, money appropriated to the Department of Commerce for expenses to carry out the purposes of this Act may be obligated or expended only if—

"(A) the appropriation thereof has been previously authorized by law enacted on or after the date of the enactment of the Export Administration Amendments Act of 1985; or

"(B) the amount of all such obligations and expenditures does not exceed an amount previously prescribed by law enacted on or after such date.

"(2) To the extent that legislation enacted after the making of an appropriation to

carry out the purposes of this Act authorizes the obligation or expenditure thereof, the limitation contained in paragraph (1) shall have no effect.

"(3) The provisions of this subsection shall not be superseded except by a provision of law enacted after the date of the enactment of the Export Administration Amendments Act of 1985 which specifically repeals, modifies, or supersedes the provisions of this subsection.

"(b) AUTHORIZATION.—There are authorized to be appropriated to the Department of Commerce to carry out the purposes of this Act—

"(1) \$24,600,000 for the fiscal year 1985, of which \$8,712,000 shall be available only for enforcement, \$1,851,000 shall be available only for foreign availability assessments under subsections (f) and (h)(6) of section 5 of this Act, and \$14,037,000 shall be available for all other activities under this Act;

"(2) \$29,500,000 for the fiscal year 1986, of which \$10,000,000 shall be available only for enforcement, \$2,000,000 shall be available only for foreign availability assessments under subsections (f) and (h)(6) of section 5 of this Act, and \$17,500,000 shall be available for all other activities under this Act; and

"(3) such additional amounts for each of the fiscal years 1985 and 1986 as may be necessary for increases in salary, pay, retirement, other employee benefits authorized by law, and other nondiscretionary costs."

#### SEC. 120. TERMINATION OF AUTHORITY.

Section 20 (50 U.S.C. App. 2419) is amended to read as follows:

##### "TERMINATION DATE

"SEC. 20. The authority granted by this Act terminates on September 30, 1989."

#### SEC. 121. IMPORT SANCTIONS.

Chapter 4 of title II of the Trade Expansion Act of 1962 (19 U.S.C. 1861 et seq.) is amended by adding at the end the following new section:

##### "SEC. 233. IMPORT SANCTIONS FOR EXPORT VIOLATIONS.

"(a) Any person who violates any national security export control imposed under section 5 of the Export Administration Act of 1979 (50 U.S.C. App. 2404), or any regulation, order, or license issued under that section, may be subject to such controls on the importing of goods or technology into the United States as the President may prescribe.

"(b) Except as provided in subsection (a) of this section, any person who violates any regulation issued under a multilateral agreement, formal or informal, to control exports for national security purposes, to which the United States is a party, may be subject to such controls on the importing of goods or technology into the United States as the President may prescribe, but only if—

"(1) negotiations with the government or governments, party to the multilateral agreement, with jurisdiction over the violation have been conducted and been unsuccessful in restoring compliance with the regulation involved;

"(2) the President, after the failure of such negotiations, has notified the government or governments described in paragraph (1) and the other parties to the multilateral agreement that the United States proposes to subject the person committing the violation to specific controls on the importing of goods or technology into the United States upon the expiration of 60 days from the date of such notification; and

"(3) a majority of the parties to the multilateral agreement (other than the United

States), before the end of that 60-day period, have expressed to the President concurrence in the proposed import controls or have abstained from stating a position with respect to the proposed controls."

#### SEC. 122. HOURS OF OFFICE OF EXPORT ADMINISTRATION.

The Secretary of Commerce shall modify the office hours of the Office of Export Administration of the Department of Commerce on at least four days of each workweek so as to accommodate communications to the Office by exporters throughout the continental United States during the normal business hours of those exporters.

#### SEC. 123. TECHNICAL AMENDMENTS.

(a) ARMS EXPORT CONTROL ACT.—Section 38(e) of the Arms Export Control Act (22 U.S.C. 2778(e)) is amended by striking out "(f)" and inserting in lieu thereof "(g)".

(b) MINERAL LEASING ACT OF 1920.—Subsection (u) of section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185) is amended—

(1) by striking out "1969 (Act of December 30, 1969; 83 Stat. 841)" and inserting in lieu thereof "1979 (50 U.S.C. App. 2401 and following)"; and

(2) by striking out "1969" each subsequent place it appears and inserting in lieu thereof "1979".

#### SEC. 124. AMENDMENT TO THE FOREIGN ASSISTANCE ACT OF 1961.

Section 502B(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(a)(2)) is amended by inserting after "Senate" the first place it appears the following: "and the chairman of the Committee on Banking, Housing, and Urban Affairs of the Senate (when licenses are to be issued pursuant to the Export Administration Act of 1979)".

#### SEC. 125. EXPORT OF HORSES.

The Act of March 3, 1891 (46 U.S.C. 466a and 466b), is amended by adding at the end the following:

##### "SEC. 3. EXPORT OF HORSES.

"(a) RESTRICTION ON EXPORT OF HORSES.—Notwithstanding any other provision of law, no horse may be exported by sea from the United States, or any of its territories or possessions, unless such horse is part of a consignment of horses with respect to which a waiver has been granted under subsection (b).

"(b) GRANTING OF WAIVERS.—The Secretary of Commerce, in consultation with the Secretary of Agriculture, may issue regulations providing for the granting of waivers permitting the export by sea of a specified consignment of horses, if the Secretary of Commerce, in consultation with the Secretary of Agriculture, determines that no horse in that consignment is being exported for purposes of slaughter.

##### "(c) PENALTIES.—

(1) CRIMINAL PENALTY.—Any person who knowingly violates this section or any regulation, order, or license issued under this section shall be fined not more than 5 times the value of the consignment of horses involved or \$50,000, whichever is greater, or imprisoned not more than 5 years, or both.

"(2) CIVIL PENALTY.—The Secretary of Commerce, after providing notice and an opportunity for an agency hearing on the record, may impose a civil penalty of not to exceed \$10,000 for each violation of this section or any regulation, order, or license issued under this section, either in addition to or in lieu of any other liability or penalty which may be imposed."

#### SEC. 126. ALASKAN OIL STUDY.

##### (a) REVIEW OF ALASKAN OIL POLICY.—

(1) IN GENERAL.—The President shall undertake a comprehensive review of the

issues and related data concerning possible changes in the existing incentives to produce crude oil from the North Slope of Alaska (including changes in Federal and State taxation, pipeline tariffs, and Federal leasing policies) and possible changes in the existing distribution of crude oil from the North Slope of Alaska (including changes in export restrictions which would permit exports at free market levels and at levels of 50,000 barrels per day, 100,000 barrels per day, 200,000 barrels per day, and 500,000 barrels per day), as well as the appropriateness of continuing existing controls. Such review shall include, but not be limited to, a study of—

(A) the effect of such changes on the energy and national security of the United States and its allies;

(B) the role of such changes in United States foreign policymaking, including international energy policymaking;

(C) the impact of such changes on employment levels in the maritime industry, the oil industry, and other industries;

(D) the impact of such changes on the refiners and on consumers;

(E) the impact of such changes on the revenues and expenditures of the Federal Government and the government of Alaska;

(F) the effect of such changes on incentives for oil and gas exploration and development in the United States; and

(G) the effect of such changes on the overall trade deficit of the United States, and the trade deficit of the United States with respect to particular countries, including the effect of such changes on trade barriers of other countries.

(2) FINDINGS, OPTIONS, AND RECOMMENDATIONS.—The President shall develop, after consulting with appropriate State and Federal officials and other persons, findings, options, and recommendations regarding the production and distribution of crude oil from the North Slope of Alaska.

(b) CONSULTATION AND REPORT.—In carrying out subsection (a), the President shall consult with the Committees on Foreign Affairs and Energy and Commerce of the House of Representatives and the appropriate committees of the Senate. Not later than 9 months after the date of the enactment of this Act, the President shall transmit to each of those committees a report which contains the results of the review under subsection (a)(1), and the findings, options, and recommendations developed under subsection (a)(2).

#### TITLE II—EXPORT PROMOTION PROGRAMS

#### SEC. 201. REQUIREMENT OF PRIOR AUTHORIZATION.

(a) GENERAL RULE.—Notwithstanding any other provision of law, money appropriated to the Department of Commerce for expenses to carry out any export promotion program may be obligated or expended only if—

(1) the appropriation thereof has been previously authorized by law enacted on or after the date of the enactment of this Act; or

(2) the amount of all such obligations and expenditures does not exceed an amount previously prescribed by law enacted on or after such date.

(b) EXCEPTION FOR LATER LEGISLATION AUTHORIZING OBLIGATIONS OR EXPENDITURES.—To the extent that legislation enacted after the making of an appropriation to carry out any export promotion program authorizes the obligation or expenditure thereof, the



limitation contained in subsection (a) shall have no effect.

(c) **PROVISIONS MUST BE SPECIFICALLY SUPERSEDED.**—The provisions of this section shall not be superseded except by a provision of law enacted after the date of the enactment of this Act which specifically repeals, modifies, or supersedes the provisions of this section.

(d) **EXPORT PROMOTION PROGRAM DEFINED.**—For purposes of this title, the term "export promotion program" means any activity of the Department of Commerce designed to stimulate or assist United States businesses in marketing their goods and services abroad competitively with businesses from other countries, including, but not limited to—

(1) trade development (except for the trade adjustment assistance program) and dissemination of foreign marketing opportunities and other marketing information to United States producers of goods and services, including the expansion of foreign markets for United States textiles and apparel and any other United States products;

(2) the development of regional and multilateral economic policies which enhance United States trade and investment interests, and the provision of marketing services with respect to foreign countries and regions;

(3) the exhibition of United States goods in other countries; and

(4) the operations of the United States and Foreign Commercial Service, or any successor agency.

#### SEC. 202. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$113,273,000 for each of the fiscal years 1985 and 1986 to the Department of Commerce to carry out export promotion programs.

#### SEC. 203. BARTER ARRANGEMENTS.

(a) **REPORT ON STATUS OF FEDERAL BARTER PROGRAMS.**—The Secretary of Agriculture and the Secretary of Energy shall, not later than 90 days after the date of the enactment of this Act, submit to the Congress a report on the status of Federal programs relating to the barter or exchange of commodities owned by the Commodity Credit Corporation for materials and products produced in foreign countries. Such report shall include details of any changes necessary in existing law to allow the Department of Agriculture and, in the case of petroleum resources, the Department of Energy, to implement fully any barter program.

(b) **AUTHORITIES OF THE PRESIDENT.**—The President is authorized—

(1) to barter stocks of agricultural commodities acquired by the Government for petroleum and petroleum products, and for other materials vital to the national interest, which are produced abroad, in situations in which sales would otherwise not occur; and

(2) to purchase petroleum and petroleum products, and other materials vital to the national interest, which are produced abroad and acquired by persons in the United States through barter for agricultural commodities produced in and exported from the United States through normal commercial trade channels.

(c) **OTHER PROVISIONS OF LAW NOT AFFECTED.**—In the case of any petroleum, petroleum products, or other materials vital to the national interest, which are acquired under subsection (b), nothing in this section shall be construed to render inapplicable the provisions of any law then in effect which

apply to the storage, distribution, or use of such petroleum, petroleum products, or other materials vital to the national interest.

(d) **CONVENTIONAL MARKETS NOT TO BE DISPLACED BY BARTERS.**—The President shall take steps to ensure that, in making any barter described in subsection (a) or (b)(1) or any purchase authorized by subsection (b)(2), existing export markets for agricultural commodities operating on conventional business terms are safeguarded from displacement by the barter described in subsection (a), (b)(1), or (b)(2), as the case may be. In addition, the President shall ensure that any such barter is consistent with the international obligations of the United States, including the General Agreement on Tariffs and Trade.

(e) **REPORT TO THE CONGRESS.**—The Secretary of Energy shall report to the Congress on the effect on energy security and on domestic energy supplies of any action taken under this section which results in the acquisition by the Government of petroleum or petroleum products. Such report shall be submitted to the Congress not later than 90 days after such acquisition.

### TITLE III—NUCLEAR AGREEMENTS FOR COOPERATION

#### SEC. 301. AGREEMENTS FOR COOPERATION.

(a) **NOTIFICATION OF AND CONSULTATION WITH THE CONGRESS; HEARINGS.**—Section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) is amended—

(1) in subsection a. by inserting after "Assessment Statement" the following: "(A) which shall analyze the consistency of the text of the proposed agreement for cooperation with all the requirements of this Act, with specific attention to whether the proposed agreement is consistent with each of the criteria set forth in this subsection, and (B)";

(2) in subsection b. by inserting before "the President" the following: "the President has submitted text of the proposed agreement for cooperation, together with the accompanying unclassified Nuclear Proliferation Assessment Statement, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, the President has consulted with such Committees for a period of not less than thirty days of continuous session (as defined in section 130 g. of this Act) concerning the consistency of the terms of the proposed agreement with all the requirements of this Act, and"; and

(3) in subsection d. by inserting before the sentence which begins "Any such proposed agreement" the following: "During the sixty-day period the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate shall each hold hearings on the proposed agreement for cooperation and submit a report to their respective bodies recommending whether it should be approved or disapproved."

(b) **CONGRESSIONAL REVIEW OF AGREEMENTS.**—Subsection d. of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153(d)) is amended—

(1) by striking out "adopts a concurrent resolution" and inserting in lieu thereof "adopts, and there is enacted, a joint resolution";

(2) by striking out the period at the end of the first proviso and inserting in lieu thereof: "Provided further, That an agreement for cooperation exempted by the President pursuant to subsection a. from any require-

ment contained in that subsection shall not become effective unless the Congress adopts, and there is enacted, a joint resolution stating that the Congress does favor such agreement."; and

(3) by striking out "130 of this Act for the consideration of Presidential submissions" and inserting in lieu thereof "130 i. of this Act".

#### (c) PROCEDURES FOR CONSIDERATION OF AGREEMENTS.—

(1) **TECHNICAL CHANGES.**—Section 130 a. of the Atomic Energy Act of 1954 (42 U.S.C. 2159(a)) is amended—

(A) in the first sentence—

(i) by striking out "123 d."; and

(ii) by striking out "and, in addition, in the case of a proposed agreement for cooperation arranged pursuant to subsection 91 c., 144 b., or 144 c., the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate,"; and

(B) in the proviso, by striking out "and if, in the case of a proposed agreement for cooperation arranged pursuant to subsection 91 c., 144 b., or 144 c. of this Act, the other relevant committee of that House has reported such a resolution, such committee shall be deemed discharged from further consideration of that resolution".

(2) **PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS.**—Section 130 of the Atomic Energy Act of 1954 is amended by adding at the end the following:

"i. (1) For the purposes of this subsection, the term 'joint resolution' means a joint resolution, the matter after the resolving clause of which is as follows: 'That the Congress (does or does not) favor the proposed agreement for cooperation transmitted to the Congress by the President on . . .', with the date of the transmission of the proposed agreement for cooperation inserted in the blank, and the affirmative or negative phrase within the parenthetical appropriately selected.

"(2) On the day on which a proposed agreement for cooperation is submitted to the House of Representatives and the Senate under section 123 d., a joint resolution with respect to such agreement for cooperation shall be introduced (by request) in the House by the chairman of the Committee on Foreign Affairs, for himself and the ranking minority member of the Committee, or by Members of the House designated by the chairman and ranking minority member; and shall be introduced (by request) in the Senate by the majority leader of the Senate, for himself and the minority leader of the Senate, or by Members of the Senate designated by the majority leader and minority leader of the Senate. If either House is not in session on the day on which such an agreement for cooperation is submitted, the joint resolution shall be introduced in that House, as provided in the preceding sentence, on the first day thereafter on which that House is in session.

"(3) All joint resolutions introduced in the House of Representatives shall be referred to the appropriate committee or committees, and all joint resolutions introduced in the Senate shall be referred to the Committee on Foreign Relations and in addition, in the case of a proposed agreement for cooperation arranged pursuant to section 91 c., 144 b., or 144 c., the Committee on Armed Services.

"(4) If the committee of either House to which a joint resolution has been referred has not reported it at the end of 45 days after its introduction, the committee shall

be discharged from further consideration of the joint resolution or of any other joint resolution introduced with respect to the same matter; except that, in the case of a joint resolution which has been referred to more than one committee, if before the end of that 45-day period one such committee has reported the joint resolution, any other committee to which the joint resolution was referred shall be discharged from further consideration of the joint resolution or of any other joint resolution introduced with respect to the same matter.

"(5) A joint resolution under this subsection shall be considered in the Senate in accordance with the provisions of section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976. For the purpose of expediting the consideration and passage of joint resolutions reported or discharged pursuant to the provisions of this subsection, it shall be in order for the Committee on Rules of the House of Representatives to present for consideration a resolution of the House of Representatives providing procedures for the immediate consideration of a joint resolution under this subsection which may be similar, if applicable, to the procedures set forth in section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976.

"(6) In the case of a joint resolution described in paragraph (1), if prior to the passage by one House of a joint resolution of that House, that House receives a joint resolution with respect to the same matter from the other House, then—

"(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

"(B) the vote on final passage shall be on the joint resolution of the other House."

(d) **APPLICABILITY OF AMENDMENTS.**—The amendments made by this section shall apply to any agreement for cooperation which is entered into after the date of the enactment of this Act.

The **SPEAKER** pro tempore. Is a second demanded?

Mr. **ROTH**. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER** pro tempore. The gentleman from Washington [Mr. **BONKER**] will be recognized for 20 minutes and the gentleman from Wisconsin [Mr. **ROTH**] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Washington [Mr. **BONKER**].

Mr. **BONKER**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1786 is the extension and reauthorization of the Export Administration Act of 1979. This measure has been thoroughly considered by the House of Representatives in the last session of Congress. It has been the subject of extensive hearings and markup and over 6 months in conference with the other body in 15 separate conference meetings.

In the final hours of the last session, we were unable to resolve two very controversial features of this bill: Title III, which related to economic sanc-

tions on South Africa, and section 10(G), which pertains to the authority of the Defense Department to review shipments to free world countries.

Now both those issues have been resolved. Title III has been removed and introduced as a separate bill and amendments to 10(G) have been removed from the legislation before us.

Mr. Speaker, H.R. 1786 attempts to balance the competing priorities which are affected by this complex legislation. It represents a consensus of the Foreign Affairs Committee, as well as a coordinated effort with other standing committees which have claimed some jurisdiction over this bill. The modifications we have made in H.R. 1786 have been closely coordinated with the other body and I have every reason to expect that the Senate will act promptly and favorably on this bill. It has the support of the business community and, I believe, the ranking member will attest to this later on, the support of the Reagan administration.

□ 1400

H.R. 1786 contains only minor modifications of what the conference committee produced in the last session of Congress. In addition to removing title III, which will be the subject of separate legislation, the committee also deleted the section dealing with nuclear exports, offered by Mr. **WOLPE**, which will also be addressed in a separate bill.

The Export Administration Act is the President's principal authority for controlling exports for foreign policy and for national security reasons. In this legislation, we have attempted to remove the President's authority to terminate existing contracts for foreign policy reasons. The contract sanctity provision protects all U.S. export contracts from disruption for foreign policy reasons. The retroactive application of foreign policy export controls brands American companies as unreliable suppliers in the eyes of our trading partners. As a result, foreign purchasers have sought out alternative foreign suppliers. The committee believes the "sanctity of contract" provision set forth in section 108 of H.R. 1786 will restore the reputation of U.S. exporting companies as reliable suppliers by extensively constraining the retroactive application of foreign policy export controls.

We have also included language that requires the President to consult before he imposes foreign policy controls in the future, with the Congress of the United States, industry, and our allies. We have established elaborate criteria which must be followed. We have provided for consideration of foreign availability in case the President feels disposed to use the foreign policy control authority in the future.

I believe that these contract sanctity provisions will restore the reputation

of U.S. exporters as reliable suppliers in international markets.

We have also dealt effectively with national security problems. The reforms in H.R. 1786 enable U.S. high technology exports to compete more effectively in foreign markets. We have done this simply by decontrolling at least the low technology licensing requirements on shipments to countries that maintain controls in cooperation with the United States that otherwise would be destined for adversary nations.

On mid-level and high-level technology we have provided for expedited procedures so there will be no further delays in the licensing process. We have also put into the language a foreign availability section that will require the Secretary of Commerce to deal effectively with our controls when there are comparable products that are in circulation worldwide. He will have 18 months in which to negotiate with the other country to have that item controlled if it is in circulation, and if the Secretary does not succeed, then he has no choice but to decontrol the item.

We have also decontrolled those products that are being restricted solely because they have an embedded microprocessor. We have provided for notification to Congress of license application exceeding the statutory time limits for decision, the result of an amendment put forth by Congressman **LES AU COIN**.

At the same time, we have also put forth additional programs for enforcement. We have done this by broadening the prohibitions and allowing for tougher penalties for violators of national security export controls. We have provided new authority to impose import controls against foreign violators of our export control policy, if approved by the allies. We have strengthened and clarified enforcement authorities for the customs and for the Commerce Department to deter and detect violations in the future.

This legislation also contains new provisions that protect the agricultural and commodity exports of this Nation. We have done this by exempting agricultural exports from national security controls, providing for sanctity of agricultural contracts both under foreign policy and the short supply sections of the legislation. Any future agricultural export embargo is subject to an automatic termination unless approved by the Congress in 60 days.

Let me say with respect to agricultural products, I cannot imagine how we can constrain the President any more effectively than by way of this legislation. There is simply no way that he can find authority in the future to tamper with existing con-



tracts on exports of agricultural commodities.

Finally, the legislation has a number of other provisions, including the extension of the existing prohibition on exports of Alaskan crude oil from the North Slope. For nuclear cooperation agreements, where the Congress previously has had a procedure for dealing with bilateral nuclear agreements that was ruled unconstitutional by the Chadda decision, we have provided a new two-tier procedure for congressional approval or disapproval of bilateral nuclear agreements. That is in this legislation as well.

Finally, we have an extension of the Export Administration Act that will carry this law through September 1989.

Now let me conclude, Mr. Speaker, by noting that since March 1984, we have been without an Export Administration Act. The 1979 act originally expired in September 1983 but the House and the Senate extended the law several times. Since March 1984, however, exports have been controlled under the International Emergency Economic Powers Act. It is a rather inadequate emergency authority under which to administer export controls, particularly for the antiboycott provision and the short supply provisions. Therefore, many parts of this elaborate law are subject to challenges because the President lacks the explicit authority he needs to carry out these controls effectively.

So I think it is the responsible and necessary action of this Congress to vote favorably on this legislation and hopefully the Senate will do likewise. That way we can restore the Export Administration Act authorities and procedures, and put this issue to rest for another 4 years.

Mr. Speaker, I would like to acknowledge the leadership of the ranking member of the committee, Mr. ROTH. He has been knowledgeable and informed, involved in all aspects of this complex legislation. He has worked cooperatively with the majority. He has had a very difficult job in that the administration has never spoken with a single voice on these issues. This legislation has been known to bitterly divide some of the departments and agencies that are involved in our export control program. Yet he has managed to keep communication going on all sides, as well as with the leadership in the other body.

I would also like to acknowledge Congressman ZSCHAU from California and Congressman BEREUTER, both of whom have been heavily involved in this legislation, as well as a number of Members on the majority side, notably Congressman BERMAN, for putting forth a considerable effort over a 2-year period of time to make the Export Administration Amendments Act of 1985 a reality.

Mr. Speaker, the Committee on Foreign Affairs in H.R. 1786 has adopted without change most of the provisions worked out in the last Congress by the conferees on similar bills passed in that Congress, H.R. 3231 and S. 979. In so doing, the committee endorses the reasoning and intent expressed on behalf of the House conferee, at least, in the draft statement of managers inserted in the CONGRESSIONAL RECORD of October 11, 1984, at pages H12150 and following. I would like to mention just a few sections of H.R. 1786 to review and reaffirm the intent of the committee in the 99th Congress, and the House conferees in the 98th Congress, on certain important points.

Among other amendments to section 3 of the act, the committee added a policy statement on sustaining the ability of scientists and other scholars freely to communicate their research findings. The committee is deeply concerned that an overly broad interpretation of the Export Administration Act may seriously limit, on grounds of national security, the legitimate scientific communication process on which scientific productivity in the United States depends.

Clearly, the strength of U.S. technology which underlies national security will not be maintained or improved if scientific and technological progress and innovation are inhibited as a result of overreaching security limitations on dissemination of scientific information under the Export Administration Act. As a National Academy of Sciences panel on Scientific Communication and National Security concluded in September 1982, the country's long-term security is best protected through the continued vitality and achievements of its economic, technical, scientific, and intellectual communities.

Moreover, science and national security are not antagonistic to one another. Scientists and Government leaders demonstrate a broad appreciation of the national security concept, including not only military applications and preparations, but also economic, cultural, and other considerations.

The committee shares the concerns expressed by the Academy panel. The policy statement on scientific enterprise was added to make explicit the view of the committee that traditional scientific communication activities of universities and the academic community, such as basic research, publications, and exchanges in the open classroom and among scholars, should be free from restriction unless the scientific information in question is subject to security classification under the President's Executive Order 12356 or its availability in the United States is limited by Government contract controls or proprietary or trade secret restrictions. The Committee recognizes

that there are legitimate concerns about the flow of sensitive U.S. technology through scientific communication and exchanges which may be damaging to U.S. national security and that there is an important role for U.S. Government oversight.

However, the committee conferees believes that existing Government, authority to declare material classified, to control work performed under contracts, and to limit the entry to and movement within the United States of foreign nationals is adequate to meet virtually all of our reasonable security needs. Any application of the provisions of the Export Administration Act to traditional scientific communication that deviates from the views stated here bears a heavy burden of justification to the Congress.

Amendments to section 4(a) of the act repeal the authority of the Secretary to offer qualified general licenses and authorize the Secretary to offer distribution, comprehensive operations, project, and service supply licenses, except that distribution and comprehensive operations licenses may not be offered for exports to controlled countries.

In agreeing to the executive branch's request to repeal the authority of the Secretary to offer qualified general licenses, the committee does not intend that the Secretary rescind such licenses currently in effect; nor does the committee necessarily intend that qualified general licenses not be available in the future. The committee notes that the Secretary retains authority to create by regulation such types of licenses as may assist in the effective and efficient implementation of the act, and leaves to the Secretary's discretion the possibility of continuing to offer the qualified general license or to create new types of licenses which the Secretary finds appropriate to protect national security and reduce the burden of individual validated licenses on U.S. exporters and on U.S. Government agencies.

The committee strongly supports the use of licenses authorizing multiple exports. The use of such licenses for transactions between reliable suppliers and customers will result in more effective and efficient export control by permitting greater attention to unknown customers while enhancing the competitive position of U.S. firms through prompt deliveries to reliable consignees.

By designating in this bill certain multiple licensing procedures, such as the Comprehensive Operations License, the committee does not intend to limit the Secretary's discretionary authority to establish new categories of multiple licenses to assist in the effective and efficient implementation of export controls and enforcement of the EAA. (If the Secretary determines

that a multiple licensing procedure for exports of certain commodities or to certain geographic locations is needed for the effective and efficient operation of the act, he may establish the license under his general authority of section 4(a)(4) of the EAA.)

The committee endorses the distribution license for exports to countries other than the controlled countries listed pursuant to section 5(b) of the act, as amended, as a means of reducing the burden on exporters engaging in trade not prejudicial to the national security, and of reducing the license processing burden on administering authorities. The factors described in the provision to be considered when relevant in individual applications for a license are not to be determinative in creating categories or general criteria for denial of applications or for withdrawal of such a license. This does not limit the authority of the Secretary to determine which items on the control list are eligible for export under a distribution license.

The committee agreed to create a new type of license authorizing multiple exports, the comprehensive operations license, which is to be made available for exports to all countries other than the controlled countries listed pursuant to section 5(b) of the act, as amended. The license is intended to facilitate cooperative innovation and transfer of know-how among the affiliated companies, including subcontractors and suppliers, of the international operations of U.S. exporters. The comprehensive operations license should not affect or restrict the scope or availability of other licenses authorizing multiple exports, such as the distribution license.

The committee notes that in deleting the House requirement that a comprehensive operations license be valid for more than 1 year, their intent is to leave to the Secretary's discretion the length of time for which such a license would be valid. The committee expects that on a case-by-case basis the Secretary may find it appropriate to authorize such a license for a period of several years; however, the Secretary and the Commissioner of Customs, consistent with their respective authorities under section 12(a) of the act, are required to perform annual audits of exports pursuant to such licenses.

The committee agreed to amend section 5(b) of the act to eliminate U.S. licensing requirements for exports to Cocom countries with respect to relatively low-technology items that require only notification for export under Cocom multilateral controls, that is, for items specified in the Administrative Exception Notes [AEN's] of the control list. The committee preserved U.S. licensing requirements for all other shipments of controlled goods and technology to such cooperating countries but, through amend-

ments in section 111 of this bill, modified the licensing process, effective 4 months after the date of enactment of this bill, to provide greater speed and predictability for export license applicants.

The application process for individual validated licenses for exports to such countries under section 10 of the act is amended to provide that if the Secretary does not inform the applicant within 15 working days after receipt of the export license application of the disposition of the application or that more time is necessary to consider it, a license automatically becomes valid and effective and shipment can be made pursuant to that license. If the Secretary notifies the applicant that more time is necessary to consider the application, an additional 15-working-day period is available for the Secretary to take action. At the end of this second 15-working-day period, however, absent action by the Secretary to deny, a license automatically becomes valid and effective.

The committee intends that the notification by the Department of Commerce to an export license applicant that the Department has received an export license application shall contain an application number that shall be identical to the number of the subsequent license to export, and when a license becomes effective, either by Government action or by the expiration of the specified time periods, the exporter may refer to that number—such as on a Shipper's Export Declaration—in exporting the goods or technology specified in the application, without waiting to receive a formal license to export.

U.S. exporters gain certainty that they may ship their products to cooperating countries after no more than 15 or, if necessary, 30 working days of submitting an application, unless the application is denied within such time periods. Export authority obtained in this manner constitutes an individual validated export license in all respects, while general and multiple licensing procedures remain unaffected.

The same treatment of license applications shall be applied, as provided in section 5(k), as amended, to all exports to non-Cocom countries which cooperate formally or informally with the United States in the application of export controls to controlled countries.

The committee's review of the implementation of the Export Administration Act during the last session of the Congress has revealed instances in which the competitiveness of U.S. exporters has been hampered by the inefficiency of the agencies with regulatory and enforcement authority. Specifically, the committee is aware that the application of the export administration regulations in some cases is inconsistent and irrational, and that

some U.S. exporters and foreign customers are not accorded the fair and equal treatment on a day-to-day basis to which they are entitled.

The committee has not attempted to specifically address these problems in this bill, in the belief that it is the express policy of the United States that these controls be administered fairly. The committee intends, however, to monitor closely the administrative practices in the future and, if necessary, to consider remedial legislation.

The committee agreed to expand the category of agreements to export technical data which must be reported to the Secretary under section 5(j) of the act, and to retain the existing exemption for educational institutions.

In retaining the exemption in current law for colleges, universities, and other educational institutions from the requirement to report agreements which involve technical cooperation, the committee notes and emphasizes that educational institutions remain subject to the same controls and license requirements for technology transfers as all other exporters. Prior reporting of technical cooperation agreements, however, is a mechanism for possible prior restraint of scientific discourse. The courts have generally recognized and upheld a freer standard for such discourse in the academic setting than for commercial speech. (See, for example, *Trane Co. v. Baldrige*, 552 Fed. Supp. 1378, Aff'd 728 F.2d 915.)

On that basis, the committee concludes that it is appropriate to require prior reporting of commercial agreements with foreign government agencies, but to place no such requirement on colleges, universities, and other educational institutions, which must nevertheless obtain appropriate licenses before exporting any controlled technology, technical data, or goods. It is the intent of the committee that U.S. Government agencies should require, as part of U.S. Government research contracts with colleges, universities, and other educational institutions, reporting to the Commerce Department of such institutions' agreements with any agency of the Government of a controlled country that might involve transfer of technology or technical data, to the extent that any U.S. Government agency might wish to be informed of such agreements.

The committee is particularly concerned by recent reports that the Defense Department is imposing restrictions on the exchange of technical and scientific information by educational institutions through international conferences and other scholarly activities. The Defense Department has no unilateral authority under this legislation or the Export Administration Act to determine what activities of education-



al institutions may require an export license, to require prior reporting, or to exercise prior censorship of scientific meetings and exchanges unless, as I have noted, the information involved comes under a Defense Department contract with the institution or individuals involved which specifically contains such a stipulation. It would appear that the Defense Department may be taking actions which exceed its authority.

It is certainly the intention of this legislation to reaffirm the exemption for universities and educational institutions from prior reporting requirements, and to reaffirm that any export license required of those institutions for the export of any technology is subject to the procedures of the Export Administration Act. Those procedures give the Secretary of Commerce final authority to interpret licensing requirements, with the advice of the Defense Department in some circumstances, and to issue or deny licenses. In no case under this legislation, however, are such authorities to be exercised directly or solely by the Department of Defense.

The committee agreed to amend section 5(k) of the act to require negotiations on controls with countries which are not members of Cocom, to provide that countries which enter into agreements on export restrictions comparable in practice to those of Cocom are to be treated like Cocom countries for purposes of export controls, and to specify that treating other countries like Cocom countries includes comparable treatment on exports by multiple as well as individual licenses, the elimination of licenses for low-technology items indicated in the Administration Exception Notes, and the expedited processing of applications provided in the new subsection (c) of section 10 of the act.

The committee feels that the Secretary should focus on the practical effect of agreements with non-Cocom countries in restricting transfer of goods and technology to potential adversaries, rather than the formal or informal nature of the agreements or arrangements, in deciding whether to extend favorable licensing treatment on exports to such cooperating countries.

The committee agreed to amend section 5 of the act to state that controls may not be imposed on a good containing an embedded microprocessor unless the function of the good itself is such that export of the good would make a significant contribution to the military potential of a controlled country. The committee concurred with actions of the Secretary, in consultation with the Secretary of Defense, in April 1984 to decontrol 94 categories of unilaterally-controlled instruments incorporating microprocessors.

The committee is deeply concerned, however, that the United States may have overstated the agreement of Cocom during the recently-completed Cocom list review in U.S. regulations issued on December 31, 1984, which appear to reimpose controls on the decontrolled instruments through an impractical definition of "embedded." The committee notes that no comparable definition yet has appeared in the regulations of any other Cocom member. The December 31, 1984, regulations therefore constitute unilateral U.S. controls. The committee notes that no national security justification has been provided for reimposing such controls, that the definition of "embedded" is inconsistent with the intent of the committee, and that an apparently unilateral control over previously decontrolled items has been deceptively promulgated in the regulations as a multilateral control. The committee expects a national security justification for controlling any nonstrategic item with an embedded microprocessor and a delay in the effective date of the December 31, 1984, regulations until the regulations can be revised to eliminate all unilateral controls over any good or technology and to conform U.S. regulations to the Cocom agreement and the intent of the committee in adopting this provision.

The committee agreed in section 108 to a number of constraints on the President's authority to impose new foreign policy controls, including additional requirements for consultations and reports, and greater attention to foreign availability of items controlled for foreign policy purposes.

It is important to note that the act refers to imposition, expansion, or extension of foreign policy controls. Controls in effect on the date of enactment, or made effective by enactment, may be extended for an additional time period upon their renewal date and in some cases are exempted from these new constraints. But addition of items or destinations to the control list constitutes imposition of new controls, even if the items or destinations are added to an existing category of controls. Imposition of new controls or expansion of existing controls after the date of enactment is subject to these new constraints.

Section 113 of H.R. 1786 amends section 12(a) of the Export Administration Act regarding investigation and other enforcement authorities. The intent of these amendments is that the Secretary of Commerce and the Commissioner of Customs should have complementary and cooperative roles in the enforcement of this act inside and outside the United States. The committee does not intend for the Commissioner of Customs to have exclusive responsibility for investigations outside the United States. The Commerce Department should continue to

use and upgrade its prelicense checks and post-shipment verification techniques. The committee intends that the Commerce Department have independent authority to investigate potential export control violations, both domestically and overseas. Any investigations undertaken, expanded, or continued on the basis of prelicense or post-shipment inquiries should be considered part of the prelicensing and post-shipment verification authority granted to Commerce in this act.

The committee intends that the Commission of Customs have primary, but again not exclusive, responsibility for enforcement at ports of entry and exit from the United States. For purposes of this act, the term ports of entry and exit from the United States is limited to the actual areas at which international carriers arrive and depart, such as airports, boat docks, or bus terminals, and public and private premises immediately adjacent to such areas which provide direct services to ports, such as port authority facilities, warehouses, and freight forwarding terminals. It also includes the international vehicles and carriers entering such port areas.

In carrying out its enforcement and investigation authority inside the United States, at places other than ports of entry and exit from the United States, Commerce is not required to consult with our seek the concurrence of the Commissioner of Customs. Exercise by Commerce of its authority at ports of entry and exit requires the concurrence of the Commissioner of Customs or a person designated by the Commissioner. The concurrence should not unreasonably be withheld, and should be provided in a timely manner so that law enforcement officials can effectively prevent the illegal export of goods and technology. To that end, the committee intends that Customs and Commerce development procedures which will allow for swift and routine concurrence on the part of the Commissioner.

Section 12(c) of the act is amended to provide for greater sharing of information between the Commerce Department and the Customs Service. This amendment is not intended, however, to provide or entitle either agency to unlimited access to the other's enforcement or licensing data. Rather, the amendment is intended to provide for a reasonable and timely sharing of information pertinent to ongoing investigations, export control violations, and license decisions. Specifically, whenever the Secretary uncovers evidence or information pertaining to an ongoing investigation of the Commissioner of Customs, the Secretary shall provide that information or evidence to the Commissioner. Whenever the Commissioner uncovers evidence or information pertaining to

an ongoing investigation being conducted by the Secretary, or whenever the Commissioner uncovers evidence or information pertaining to an export control violation, the Commissioner shall provide such information or evidence to the Secretary. The sharing of data by the Commissioner is essential not only to further enforcement efforts, but also to ensure that the Secretary makes informed licensing decisions in the meantime. It is not intended that the agency furnishing information or evidence is, by so doing, relinquishing investigatory jurisdiction over the matter or case to which the information or evidence pertains. Whenever the two agencies may determine that they are independently investigating the same apparent export control violations, the Secretary and Commissioner should take appropriate steps to establish which agency will have primary responsibility for completion of the investigation.

The committee expects that H.R. 1786 will result in a greater number of criminal prosecutions for violations of the EAA. However, I also wish to emphasize that the Commerce Department should continue to bring administrative proceedings seeking to impose civil penalties and other administrative sanctions. In this regard, I understand that some confusion has arisen concerning the time limits for initiating administrative actions and on bringing actions in Federal court to collect civil penalties.

Our intent is that the Commerce Department must bring its administrative case within 5 years from the date the violation occurred. Thereafter, if it is necessary for the Government to seek to enforce collection of the civil penalty, the complaint must be filed in Federal court within 5 years from the date the penalty was due, but not paid. Any other interpretation would have the Commerce Department discover, investigate, prosecute, and, file a complaint in U.S. District Court to collect the penalty imposed, but not paid, in the administrative proceeding all within 5 years from the date of the violation. In many instances, particularly those involving well-hidden diversions through foreign countries, such a task would be impossible.

Section 113 of H.R. 1786 requires that the grant of police powers given by this bill to the Department of Commerce and the U.S. Customs Service shall be exercised pursuant to regulations promulgated by the Attorney General concerning the use of police powers. The intent of this provision is to ensure that, through guidance to be provided by the Attorney General, police powers are exercised in a uniform manner by all agencies that have the legislative authority to use such powers. This provision is not intended to dilute or fundamentally to alter, in any manner, the authority of Com-

merce and Customs to exercise the police powers given to them by this bill.

Section 123 of the Atomic Energy Act, as amended by the 1978 Nuclear Non-Proliferation Act [NNPA], 42 U.S.C. 2153, requires that proposed agreements for nuclear cooperation with other countries shall include the terms, duration, nature, scope of cooperation, and other requirements listed in that section. Subsection (d) of that section presently provides that the President must submit proposed agreements for nuclear cooperation to the Congress and that such agreements cannot become effective if, during a 60-day review period, Congress adopts a concurrent resolution stating Congress does not favor the agreement. The Supreme Court's June 1983, *Chadha* decision raised serious questions about the constitutionality of that concurrent resolution disapproval procedure. In order to remedy that legal problem, and to ensure an adequate and timely congressional review procedure for agreements for nuclear cooperation proposed by the President, the provisions of this bill dealing with such agreements make changes to the existing provisions of sections 123 and 130.

Section 123(a) presently requires, among other things, that the Director of the Arms Control and Disarmament Agency [ACDA] must prepare a nuclear proliferation assessment statement regarding any proposed agreement for peaceful nuclear cooperation. This bill amends section 123(a) to require that any such assessment statement must analyze the consistency of the text of the proposed agreement for cooperation with all the requirements of this act, with specific attention to whether the proposed agreement is consistent with each of the criteria set forth in section 123(a). This provision is intended to ensure that the ACDA director specifically analyzes in writing why any proposed agreement is or is not consistent with each of these nine criteria.

This provision is very important because section 123(d) of the bill is also amended to provide that if the President exempts a proposed agreement from one or more of the criteria for nuclear agreements which are set forth in section 123(a), then the agreement cannot be brought into force unless the Congress adopts, and there is enacted, a joint resolution stating that the Congress does favor the agreement. If there is no exemption, then such agreements for cooperation can be brought into effect after the congressional review period is completed unless Congress adopts a joint resolution of disapproval.

This bill also amends section 123(b) of the present law to require that before the beginning of the 60-day congressional review period set forth in section 123(d), as amended by this

bill, the President submit the text of a proposed agreement along with the Nuclear Proliferation Assessment Statement to the Committees on Foreign Affairs and Foreign Relations of the House and Senate respectively, and consult with these committees for a period of not less than 30 days of continuous session concerning the consistency of the terms of the proposed agreement with all the requirements of the Atomic Energy Act. This special provision—the amendment to section 123(b)—does not have any precedential value for other agreements concluded by the President and is included here solely because we are adopting a new system for nuclear cooperation agreements so that the balance between the Congress and the President on nuclear agreements that was upset by the *Chadha* decision can be restored. Since the track chosen for approving such agreements depends on whether they are outside the parameters of the nine section 123(a) nonproliferation criteria, the provision is intended to ensure that the committees can advise the President on that all important issue during the 30-day prior consultation period but not necessarily before that agreement is signed.

For example, if during the 30-day prior consultation period either the House Foreign Affairs Committee or the Senate Foreign Relations Committee indicates that in its judgment the proposed agreement is outside the parameters of the nine section 123(a) nonproliferation criteria, the Congress expects that the President will submit an exemption. When an exemption is submitted, the amendment to section 123(d) requires that the Congress pass a joint resolution of approval before such an agreement becomes effective. During the 30-day period of informal committee review, the respective committees could, of course, conduct hearings to assist their Members in reaching a recommendation as to whether the President should submit an exemption.

The provisions of section 123(b), as amended, are not intended to insert Congress into the process of negotiating agreements. After the 30-day period of informal consultation, the President may choose to renegotiate an agreement. However, the provision does not require renegotiation of an agreement prior to its final consideration by the Congress. These provisions are intended to ensure that the President has the advice of the Congress as to whether there should be an exemption from any of the nine nonproliferation criteria of section 123(a).

The steps for submitting, consulting and approving nuclear cooperation agreements set forth in section 123(b), as amended, need not be taken in any particular sequence. It is up to the



President to decide if he wants to authorize the execution of an agreement for cooperation before seeking congressional advice regarding whether an exemption is required, and thus the agreement may or may not be approved and executed prior to submission for the 30-day prior consultation review period. While the President may choose to resubmit an agreement following the 30-day consultation period, these amendments do not require separate submissions under section 123(b) and section 123(d). A single submission would satisfy the law. The Congress fully expects, however, that the President will resubmit any agreement for which he has not submitted an exemption if either committee during the prior consultation period recommends that an exemption is required.

This bill, as noted above, also amends section 123(d) of present law to provide that if the President exempts a proposed agreement for nuclear cooperation from any section 123(a) nonproliferation criteria, then the agreement cannot be brought into force unless the Congress enacts a joint resolution of approval. If there is no exemption, the agreement can go into effect after the 60-day congressional review period in section 123(d) unless Congress passes a joint resolution of disapproval.

Section 123(d) is further amended to provide that during the 60-day period proposed agreements for nuclear cooperation are formally before the Congress that the Committees on Foreign Affairs and Foreign Relations of the House and Senate shall hold hearings on them and report to their respective bodies whether such agreements should be approved or disapproved. This is to ensure that Members of each body are given an opportunity to cast an informed vote on such agreements. It is our clear intention that the respective committees shall hold hearings on each proposed agreement for cooperation. We fully expect and are directing and mandating in law that the committees of jurisdiction comply with this requirement.

However, if for some reason, either of the committees ever fails to hold the hearings and/or submit the reports by the end of the congressional review period mandated by this subsection, that would not constitute a procedural defect in the congressional review of an agreement for nuclear cooperation, and would not prevent the entry into force of the agreement. This amendment to section 123 makes clear that only a joint resolution of disapproval may prevent the entry into force of such an agreement unless there has been a Presidential exemption of a required provision, in which case a joint resolution of approval is needed to permit such an agreement to come into force. If unanticipated

circumstances prevent a hearing from being held or a report from being issued during the statutory period, we fully expect the appropriate committee chairman will explain in writing to the respective House the precise reasons for such an unexpected omission.

Section 130 of existing law has also been amended with respect to its provisions providing expedited procedures for consideration of nuclear cooperation agreements. That section has been amended to state, among other things, that all joint resolutions of approval and disapproval which are introduced in the House of Representatives shall be referred to the "appropriate Committee or Committees." This does not mean that such agreements or resolutions relating to them will be referred to an expanded number of committees in the House or will be subjected to hearings before an expanded number of committees in the House.

It is our intention that both agreements and related resolutions dealing with civil nuclear cooperation will continue to be referred to the House Foreign Affairs Committee, as under current law, and that agreements and resolutions for defense nuclear cooperation will continue to be referred to the Armed Services Committee as well. This is what would occur currently under House rules, and this is appropriate in view of the expertise and jurisdiction of these committees in this area.

The SPEAKER pro tempore (Mr. MINETA). The gentleman from Washington has consumed 10 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me begin by complimenting our chairman Mr. BONKER for his excellent statement and for his expertise in this area. Mr. BONKER is possibly the most gifted Member of this body and it is a pleasure to work with him. I also wish to compliment all the members of our subcommittee and the staff, for their diligent and superb work. When we began work on this comprehensive and far-reaching legislation, 2½ years ago, we had four goals in mind.

First, to reduce the number of goods and technology subject to export controls;

Second, to increase and improve the scrutiny of any foreign sales of our most sophisticated and militarily critical technologies;

Third, to improve the efficiency of the export licensing process so as not to unduly handicap our exporters' ability to be competitive; and

Fourth, to establish a set of criteria and procedural requirements to govern the use of foreign policy controls.

These goals have been addressed in this legislation. This is a complicated bill and probably the most important legislation affecting trade to come before Congress this session.

To hammer out a compromise agreed to by all, was not an easy task. But I think we have managed to do it. This compromise enjoys the support of the Senate and the House, Republicans and Democrats, the administration and the business community.

We have a moral obligation to enact this legislation into law without delay. Export controls strike at the national security of our Nation. The President is now invoking national emergency measures to control and prohibit the export of U.S. technology to our adversaries abroad, and he has been forced to use these extraordinary measures because Congress has not passed an EAA bill.

There is no more urgent trade matter before the Congress than the renewal of the Export Administration Act. Exporters in your district and mine are subjected to lengthy delays in obtaining export licenses. Critical high-technology items are being diverted to the Soviet bloc because Government resources are spread too thin. The export licensing morass urgently requires corrections.

That is why I reintroduced a renewal of the Export Administration Act—H.R. 28—on the very first day of this Congress. Under the very fine leadership of our subcommittee chairman, the gentleman from Washington [Mr. BONKER] we immediately took action in our subcommittee and in our full committee to report this bill to the floor, now as a committee bill H.R. 1756. Congressman BONKER and I agreed early in this session that a fast-track approach to this legislation was essential.

Many people contributed to this bill. I would like to extend my personal gratitude to the gentleman from Washington for his dedication to this bill. It is a truly bipartisan product. Let me just enumerate some of the improvements contained in this bill:

With respect to national security—

It imposes much tougher penalties for violators of national security export controls.

It grants authority to the President to impose import controls against foreign violators of export controls.

It adds enforcement powers for Customs and Commerce to deter and detect violations.

With respect to streamlining the export licensing process—

We have eliminated the need for some 40 percent of the volume of export licenses now required. Exporters selling low-technology items to our

allies will no longer have to file for export licensing permits.

We have mandated a faster licensing process in all product categories. With respect to high-technology exports to our allies, our exporters must receive a response on their applications for licenses within 15 days.

The bill provides a process for eliminating restrictions on U.S. exports of items freely available in other countries.

Agricultural exports are largely exempted from national security, foreign policy, and short supply controls.

Any future agricultural export embargoes are subject to automatic termination unless a continuation is approved by Congress within 60 days.

With respect to foreign policy controls—

The criteria that the President must meet in order to impose foreign policy controls are significantly tightened. That is, trade sanctions can only be used if all other channels of diplomacy have been tried.

The President must now take into account, among other criteria, the foreign availability of comparable goods and technology before imposing trade sanctions.

And, a "contract sanctity" provision protects all U.S. exports covered by contracts in the event of trade sanctions.

This is a comprehensive bill that will make a substantial difference in our conduct of national security, foreign policy, and short supply controls. We have worked diligently to take into account the many diverse concerns of the administration, our allies, and the business community and to meet the four goals which we established for ourselves 2½ years ago. I therefore ask my colleagues to join me in passing H.R. 1786.

□ 1410

Mr. BONKER. Mr. Speaker, I yield 1 minute to the gentleman from Oregon [Mr. AUCOIN].

Mr. AUCOIN. Mr. Speaker, I rise in support of the export policy amendments before us today and urge their prompt adoption.

I am particularly pleased that the bill before us includes the amendment I authored in the last Congress—an amendment which is critical to the future of the high technology industry in Oregon and elsewhere—to expedite export licenses for U.S. manufacturers.

International competition in the high-technology sector is ferocious, a fact all of us here know only too well. Innovation is the lifeblood of that competition, and the premium is on being the first to the market with a new product. Unfortunately, the ability of American innovators to win customers against foreign competitors is hamstrung by infuriating delays in

U.S. Government export applications. Companies in my district are still waiting for approval of export applications involving our own allies filed more than a year ago—applications that are supposed to be handled within 180 days.

We address that problem in this bill with a provision that holds agencies responsible for processing export applications accountable to Congress for undue delays. We give the oversight committees of Congress a new tool with which to identify and alleviate backlogs that damage the credibility of U.S. manufacturers as reliable suppliers, cost them customers and profits abroad, and cost jobs and payrolls at home.

I also want to commend my colleague, Mr. BONKER, and members of the committee, for including provisions which recognize that every piece of U.S. equipment that has a microchip in it isn't a threat to our national security. Companies in my district, such as Tektronix, have told me that this is one of their top priorities. This bill takes a first step in removing excessive controls that only damage our competitive position abroad. And, as new technologies develop and others become less sensitive, we should keep in mind that need to impose controls only on those products which raise legitimate national security concerns.

Mr. Speaker, one of the very regrettable casualties of the last session of Congress was the failure of the House and Senate to reach a consensus on what our national policies should be concerning the products we export to other countries \* \* \* regrettable because every day's delay in resolving this critical policy dispute costs us jobs and profits here at home. A year ago, this country ended up with a trade deficit of \$70 billion, then a record. We've just ended a year in which the trade deficit hit \$123 billion.

Every billion-dollar increment in this soaring deficit represents 20,000 to 40,000 jobs here at home that aren't created.

By adopting the export policy amendments before the House today, we can begin to attack this problem—not with protectionism—but by implementing sensible policies that will give U.S. manufacturers some predictability in shaping their strategies for marketing their products overseas.

Mr. BONKER. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Committee on Energy and Commerce, the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I want to commend the distinguished gentleman from Washington State, the chairman of the subcommittee; and my distinguished friend from Florida, the chairman of the full committee.

I observe that we can rejoice that we were able to resolve in such a gentle-

manly fashion the jurisdictional concerns that have involved this bill to the satisfaction of both the distinguished Committee on Foreign Affairs and the Committee on Energy and Commerce.

As I note, H.R. 1786 addresses certain energy matters and certain programs and activities of the Department of Commerce under the jurisdiction of the Commerce Committee, which are defined as export promotion.

Because the Committee on Foreign Affairs agreed to certain energy amendments and an explicit recognition that some of the programs and activities covered by section 201 fall within the jurisdiction of the Committee on Energy and Commerce, my committee did not insist on sequential referral.

I want to again commend my colleague from Washington and also my colleague from Florida, the chairman of the full committee, because of this.

I note that as a part of the resolution of these concerns, an exchange of correspondence between the chairmen of the two committees addressed these various jurisdictional concerns and that those documents will be included in the record.

I also wish to express my thanks to my colleagues, the gentleman from Washington, and also the gentleman from Florida, for the gracious and statement-like fashion in which they and their staffs handled this matter so that we were able to resolve the issues that related to jurisdiction in an expeditious and gentlemanly fashion.

Mr. BONKER. I thank the gentleman, and speaking on behalf of the chairman of the full committee, we concur with the sentiments which the gentleman has just expressed. We also are rejoicing that we were able to settle these jurisdictional issues.

Mr. ROTH. Mr. Speaker, I yield 3 minutes to the ranking member of the Committee on Foreign Affairs, the very able gentleman from Michigan [Mr. BROOMFIELD].

Mr. BROOMFIELD. Mr. Speaker, I would like to take this opportunity to commend the gentleman from Wisconsin [Mr. ROTH] and the subcommittee chairman, Mr. BONKER, for their leadership in developing legislation to reauthorize the Export Administration Act. Mr. ROTH, as the ranking Republican on the subcommittee, has helped provide the leadership and dedication necessary to bring this legislation to the House floor.

On the first day of this session, he introduced H.R. 28—the fast-track vehicle needed for rallying a coalition that includes the administration, the business community, and a bipartisan team in the House and the Senate. With only minor technical amendments made to H.R. 28, a clean bill—



H.R. 1786—was reported out of the Foreign Affairs Committee and is before us today.

An exhaustive evaluation was made throughout the last Congress to devise ways to deter more effectively the illicit transfer of American technology to the Eastern bloc. This bill contains many new provisions that will help safeguard our militarily critical technologies from falling into Soviet hands. At the same time, many improvements are made in this bill to correct a deficient and cumbersome export licensing system that has caused unnecessary hardships for many American exporters.

In my opinion, this bill strikes a balance between the twin objectives of abating the transfer of sensitive Western technologies to the Soviet bloc and streamlining the export licensing process so as not to unduly handicap the competitiveness of U.S. exporters.

Business has a right to expect the Congress to set standards and criteria for exporting U.S. technology abroad and it behooves us to act now. We, as a Nation, cannot afford to delay this effort any longer. I again extend my sincere congratulations to Mr. ROTH, Mr. BONKER, and the staff for the decisive action taken in this session to move this bill forward. I urge my colleagues to support H.R. 1786.

□ 1420

Mr. ROTH. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. FRENZEL], who I am sure will agree with us because he usually agrees with us on these matters.

Mr. FRENZEL. Mr. Speaker, I want to endorse the comments made by the distinguished gentleman from Washington, the chairman of the Subcommittee on International Economic Policy, and to congratulate him and the distinguished gentleman from Wisconsin for their persistence in moving this bill along.

Members will recall that the House bill was passed nearly a year ago at this time. It was in conference for about 8 months, many long weeks of consistent actual discussion with the other body in that conference. As the last Congress adjourned, we were not able to reach agreement in the conference committee. Now the managers of the bill, particularly the gentleman from Washington and the gentleman from Wisconsin, have brought us back a bill which is very similar to the House position of last year. In my judgment, it is a good compromise.

We do not yet have a bill that suits exactly what the House would have wanted. We do not have a bill that suits what I would have wanted or probably exactly the way the gentleman from Wisconsin and the gentleman from Washington would like to see that bill. Nevertheless, it is an enormous improvement. It does pro-

vide a better opportunity for American companies, particularly smaller ones, to move goods in world commerce, both West West and West East and, therefore, it will help America's export prospects, in my judgment.

I do believe that there have been seldom wider differences between the two bodies of Congress than in this bill. The other body took a very strong position on national defense, ours on expanding commerce. I think this is a good compromise. I hope it will be accepted.

Mr. ROTH. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. PURSELL].

Mr. PURSELL. Mr. Speaker, I am not a member of the committee, but I and many other Members of Congress on both sides of the aisle who are trying to reduce Federal spending in a fair and equitable way are carefully watching these authorization bills. I am disappointed that the bill is on the suspension calendar, that we have not had a chance to look at the hard numbers because no CBO estimates were available and, due to the circumstances surrounding the bill, no report was filed, and, finally, that amendments thereto that would bring this bill back to the 1985 appropriation level are not permitted because it is on the Suspension Calendar.

As I understand the bill, and I would encourage either manager of the bill to correct me if I am wrong, we are requesting \$24.6 million for administration in this piece of legislation for 1985 which matches the fiscal year 1985 appropriation, obtained in the last Congress through a waiver of the House rules. This legislation also calls for a 1986 authorization of \$29.6 million for administration only. The export promotion activities portion of the bill is \$113.3 million per year through 1989. If you look at this and if my figures are correct—and I think we are going to have a colloquy on the other side with the gentleman from Connecticut [Mr. MORRISON] later—this authorization bill on suspension calls for an increase in administrative expenditures alone of 21 percent. My first question to our chairman is: Are we getting a 21-percent increase in administration in this authorization bill?

Mr. BONKER. If the gentleman will yield, first of all, the figures that are in the measure before us were all recommended by the administration. These were not increases by the committee.

The SPEAKER pro tempore. The time of the gentleman from Michigan [Mr. PURSELL] has expired.

Mr. BONKER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan.

If the gentleman will yield further, the figures come from the administration. They are the administration's requests for fiscal years 1985 and 1986.

The legislation enhances the enforcement responsibilities of the Department of Commerce. Hopefully, the additional funds will equip them to better process licenses that until now have been subject to lengthy delays and which has frustrated American exporters and hindered U.S. competitiveness.

Mr. PURSELL. How many new personnel will this authorization bill give us over and above 1985 levels?

Mr. BONKER. There is a distinction between money that is set aside for the administration of the licensing program and the money that is set aside for enforcement. Most of the increases have come with respect to enforcement.

This is one issue of which there was a consensus between the Senate and the House, and that is Commerce had to do more with respect to enforcement.

I might add that, while we have increased Commerce's enforcement budget slightly, we have cut back the Customs Service budget for enforcement on export controls by about \$16 million. So, overall, the taxpayer is much better off with this legislation.

Mr. PURSELL. But that is in Treasury, not in Commerce. I will ask the gentleman again—I have not had an answer yet—how many additional personnel are we hiring under this authorization bill? All programs: administration, new office, restructuring, total, aggregate, bottom line, personnel.

Mr. BONKER. Let me read from the administration's fiscal year 1985 budget proposal: The increase to be used to audit distribution licenses, that will be 31 positions; support Cocom and the technical advisory committee's work to integrate the militarily critical technologies list, that is 5 positions; assess foreign availability which is required now in this legislation, 24 positions.

Mr. PURSELL. What is the total number?

Mr. BONKER. The total number would be 60 new positions.

Mr. PURSELL. Sixty new positions?

Mr. BONKER. Yes.

Mr. PURSELL. I think it is unfortunate, in the limited time here, with all due respect to the committee, that we have an expenditure in growth not only in dollars but also in personnel. In light of the deficit, I would suggest that the bill should not have been on the Suspension Calendar so that we could have had full debate on this.

I am not against safeguarding national security or facilitating commerce, two of the basic functions of this country's export administration activities. However, I am against increasing funding for any program in fiscal year 1986 over what was appropriated in fiscal year 1985.

At least a freeze in funding must be accomplished in fiscal year 1986 if we are to make any progress at reducing the deficit. The budget deficit now under current law will increase to well over \$200 billion next fiscal year—and that accounts for inflation. If we increase budgets on top of that, the budget deficit will go even higher. To get a real reduction in the deficit, we must freeze spending at fiscal year 1985 appropriated levels.

Unfortunately, because this bill is being considered on the Suspension Calendar, there is no ability to amend this bill to reduce funding fiscal year 1985 appropriated levels. We did that with the NASA authorization for fiscal year 1986 2 weeks ago on this very floor. The gentleman from Connecticut [Mr. MORRISON] and myself introduced an amendment to freeze NASA authorization for fiscal year 1986 at fiscal year 1985 appropriated levels. It passed overwhelmingly—369 to 36. The Members of this body expressed their will in a bipartisan and unequivocal way, and hence expressed the will of the people of this country—that we have to reduce Federal spending and hence the deficit. And we have to do it across the board—there can be no sacred cows. But without the ability to amend this bill as we did the NASA authorization and as we will do again this week with National Science Foundation and National Bureau of Standards authorizations for fiscal year 1986, we have no alternative to represent that will but to vote against the bill, to continue across the board the movement to freeze spending, and to send a message to those committees that have yet to report out their authorizations that an overwhelming number of Members of this House are serious in their commitment to reduce Federal spending and hence the burgeoning Federal deficit, which threatens the economic health of this country.

I therefore urge my colleagues to oppose this legislation. Thank you.

Mr. ROTH. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. ZSCHAU].

Mr. ZSCHAU. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of H.R. 1786. This is a bill that has been carefully worked out over a 2-year period with hours of hearings, hours of discussions in the House of Representatives, in the various committee levels, and then over a period of months last year with the other body in conference. It is a tribute to the leadership of the gentleman from Washington [Mr. BONKER] and the leadership of the gentleman from Wisconsin [Mr. ROTH] that we have brought together this carefully crafted bill. It attempts to do almost the impossible, the impossible task of controlling better our militarily critical

technologies, while streamlining the procedures under which export licenses are granted, so that our exporting companies are not subjected to undue or unnecessary delays as they attempt to compete in very competitive markets.

The question was raised earlier by the gentleman from Michigan [Mr. PURSELL]: How can we justify in times of large budget deficits a small increase in millions of dollars for this legislation?

□ 1430

If we want to have economic growth in this country, we are going to have to have a strong export policy. The amount of money that we are spending in this bill in order to speed up the licensing process and enable our companies to compete better, will be paid for many, many times by the increase in exports and the increase in economic growth.

I think that at a time when our trade deficit is so large, when our budget deficit is so large, this is a very high-leverage way of expending money now in order to improve the overall economic situation.

I would, in conclusion, like to pose a question to the gentleman from Washington [Mr. BONKER], the chairman of the subcommittee. I would like to ask this question of his interpretation of a change that we did not make in H.R. 1786. I notice that H.R. 1786 does not amend the section 10G of the Export Administration Act, and I ask the chairman: Does he interpret this to mean that the Department of Defense has no authority in the Export Administration Act, as amended by this bill, H.R. 1786, to review export license applications for exports to countries other than the control countries?

I yield to the gentleman for his reply.

Mr. BONKER. The gentleman is correct. The law is explicit, and this legislation is explicit in that DOD has review authority only on shipments to controlled countries. It does not possess statutory authority to review license shipments to free world or COCOM countries, and no such authority is contained in this legislation.

Mr. ZSCHAU. I thank the chairman for that clarification. In conclusion, I would urge my colleagues to support H.R. 1786.

Mr. ROTH. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. I thank the gentleman for yielding me this time.

Mr. Speaker, a short while ago, the American public was shocked to learn of the shipment of a whole flock of helicopters to North Korea. Following that bizarre event, editorially at least, and on many occasions from the floor of this House, questions were asked as to how that could have happened, and

various targets were fomented for blame.

I would like to know whether or not, if the ranking member, the gentleman from Wisconsin, would care to answer, whether or not, as I believe it does, that this piece of legislation goes a long way toward preventing a repeat of that kind of bizarre incident.

I yield to the gentleman for his reply.

Mr. ROTH. As usual, the gentleman from Pennsylvania is very astute in his interpretation of the legislation. I think that had we had this legislation, we have tougher penalties for violators; it adds enforcement powers to Customs and to Commerce, and that is precisely why I think the gentleman would want to vote for this legislation.

Mr. GEKAS. I thank the gentleman for that explanation. I tell you, I feel better about the prospective prevention of this thing happening again than I do about any explanation yet forthcoming on how it happened in the first place. At least we have some confidence, at least from the drafters and from the interpretation of this particular piece of legislation that we are not likely to have to undergo that embarrassing situation again.

Mr. ROTH. Mr. Speaker, I yield 4 minutes to the gentleman from Nebraska [Mr. BEREUTER], who has done such a yeoman job on this legislation.

Mr. BEREUTER. I thank the gentleman for yielding me this time.

Mr. Speaker, I would like to begin my comments by commending the chairman, the gentleman from Washington [Mr. BONKER] for his very able, diligent and skillful leadership in bringing back to the floor this compromise legislation once again. It has been a long time in the making. The conference last year was the longest before the 98th Congress.

I would like also to extend my congratulations and recognition, on a personal basis, to the gentleman from Wisconsin [Mr. ROTH] for his outstanding role in formulating this legislation and its predecessor in the 98th Congress.

To our chairman, the gentleman from Florida, and to our ranking member, we appreciate the expedited treatment given by the committee to bring the bill to the floor today.

The bill has been very comprehensively explained by the gentleman from Wisconsin and the gentleman from Washington. This legislation builds almost totally upon the bill as it existed at the end of our very long conference last year. There are at least several exceptions.

Those exceptions relate to two very controversial areas, where, with the recognition and support of the primary cosponsors, we deleted those two very controversial sections of the bill.



Second, through the able work of our staff and our chairman, we were able to iron out jurisdictional difficulties with the Energy and Commerce Committee through technical amendments.

With those exceptions, we are building upon the experience of the last Congress. I, of course, am interested in all of the provisions. As the gentleman from California said, the importance of this legislation, in terms of increasing our export base and solving some of our trade deficits, cannot be overemphasized. But I am particularly pleased with the strong antiembargo and strong contract sanctity provisions that relate to agriculture.

I thank my colleagues and our staff for all of the work that they have done in bringing us once again to this point. We hope for a similar expeditious treatment of the legislation by the other body.

Again, I want to thank the chairman. It has been a very knowledgeable experience working with you, and I very much appreciate the cooperation that I have received.

Mr. ROTH. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BONKER. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut [Mr. MORRISON].

Mr. MORRISON of Connecticut. I thank the gentleman for yielding me this time.

Mr. Speaker, I want to join with the gentleman from Michigan to express my concern about an increase in the administration expense for this authorization from an appropriated level of this time, for fiscal 1985, of \$18.5 to \$29.5 million for fiscal 1986.

We are talking here about a 60-percent increase. It is true that this may be an area of priority for increased expenditures, but writing in the dark without a budget at a time when we have a \$200 billion budget deficit is not the way to solve our budget deficit crisis. We ought not to have this increase now before us on suspension with no chance to deal with that amount of money.

I think it is unfortunate that the substantial content of this bill is put in jeopardy by this relatively small budget consideration.

Mr. BONKER. Mr. Speaker, will the gentleman yield?

Mr. MORRISON of Connecticut. I yield to the gentleman.

Mr. BONKER. I think it should be remembered by those who are concerned about the cost that we have effectively reduced the Customs Service budget from \$30 to \$12 million. That is a considerable savings. We have increased the enforcement responsibility of the Commerce Department, and we cannot expect them to carry out that work if they do not have the resources to do the job.

Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. I thank the gentleman from yielding me this time.

Mr. Speaker, I have to add my comments to those of the speakers before me. What a tremendous amount of respect and regard should be paid to both the gentleman from Washington and the gentleman from Wisconsin. For those who are not on the subcommittee or the conference committee, they can have very little understanding of the incredible number of obstacles and hurdles that were overcome in reaching the point that we seem to be today. It is only through their perseverance, and hard work, and patience that we are able to come to this point.

Mr. Speaker, the legislation before this House is the result of 2 years of work by the Foreign Affairs Committee. It achieves the two goals which guided us throughout the process. The bill reduces the licensing requirements which burden the exporting community and cause delays in foreign trade. At the same time it strengthens the controls necessary to protect our national security. The bill's provisions make export controls more effective and efficient.

One of the bill's central reforms is a decontrol of low-technology exports to Cocom member countries—NATO minus Iceland, plus Japan. This will reduce the number of licenses required by at least 12,000 and possibly by as much as 18,000. Low-technology goods are available to the Soviet Union from other countries. This legislation recognizes the fact of foreign availability and ensures that American businesses will not face continued delays and red-tape because of outdated restrictions.

The bill requires action on most Cocom licenses within 15 days and on all within 30. Throughout our work on the legislation, we heard business complaints about delays in processing licenses. Congress now mandates swift action on all license applications. This efficiency is necessary if the United States is to regain its competitive edge in foreign trade.

One provision mandates Cocom negotiations and requires that one-third of the commodity control list be negotiated annually. This ensures a timely review of the list of sensitive commodities. It will keep the list up to date and should speed the process of removing goods which no longer require controls.

The legislation decontrols much equipment containing embedded microprocessors. This is another example of the committee's recognition that current controls place outmoded restrictions on the export of these goods.

The bill contains a range of other reforms to streamline the export process. These include:

Preservation of the distribution license and the project license;

Creation of a new bulk license for technology transfer, known as a comprehensive operations license;

Defining integration of the military critical technologies list and the commodity control list.

One significant reform is a decontrol of goods readily available to the Eastern bloc from other nations. If a good is available to the Soviet Union from other sources, the United States does not enhance its security by maintaining controls on the good. The provisions in this bill facilitate findings of foreign availability and decontrol of such goods. It requires an official finding on foreign availability when an exporter or a technical advisory committee say that a good is available. Once foreign availability was found, a good would have to be decontrolled within 18 months if other exporters did not agree in negotiations to remove its availability to controlled countries.

The bill makes important reforms in foreign policy export controls. It establishes stricter procedures for imposition of foreign policy controls and limits a President's authority to halt contracted exports.

The Export Administration Act is this Nation's basic legal authority for administering controls on U.S. exports. We have been operating for too long under the unwieldy, International Emergency Economic Powers Act. It is time to bring our export control regime back into order. I urge my colleagues to support passage of H.R. 1786.

In one area of particular interest, I want to clarify my view that we have significantly constrained, although not prohibited, the Presidential authority in the area of nonagricultural commerce from imposing foreign policy controls where there are existing contracts. This bill reflects significant constraints but not prohibitions on such Presidential authority.

□ 1440

Mr. BONKER. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The Chair will advise the gentleman from Washington that he has 1 minute remaining.

Mr. COLEMAN of Texas. Mr. Speaker, will the gentleman yield?

Mr. BONKER. I yield to the gentleman from Texas very briefly.

Mr. COLEMAN of Texas. I thank the gentleman for yielding.

Mr. Speaker, the only question I had from the chairman was whether or not the amendment which was dropped out of the conference last year that was added in 1983 by this House would not be prohibited; that is, the utilization of computer terminals at ports of entry into and exiting from this coun-

try for utilization by the Department of Commerce. They could still do that with this legislation?

Mr. BONKER. The gentleman is correct.

Mr. Speaker, I yield the balance of my time to the gentleman from Florida [Mr. GIBBONS].

Mr. ROTH. Mr. Speaker, I have 1 minute remaining, and I would like to yield that time also to the gentleman from Florida [Mr. GIBBONS].

The SPEAKER pro tempore. The gentleman from Florida [Mr. GIBBONS] is recognized for 1½ minutes.

Mr. GIBBONS. I want to thank both gentlemen for yielding me this time.

Mr. Speaker, I want to say that I have carefully watched and closely watched the development of this legislation. It is an excellent, workmanlike job. All of us have some complaints about every piece of legislation, but when you see what we started with, you will have to commend these two gentlemen and their committee for the fine work that they have done.

Some complaint has been made about the personnel involved in this. Let me say that we are operating an industry at the border that is vastly larger and is growing each year by leaps and bounds. The Department of Commerce and the people who monitor our laws at the border are administering a business that essentially did about \$50 billion worth of business a few years ago, and today they are doing \$600 billion worth of business at the border, the Department of Commerce and the Customs Service. There is no way you can carry on any kind of function like that with lesser personnel unless you are just going to say there are no laws; we will have laws but not enforcement.

There is already too much complaint that there is not adequate enforcement of our laws at the border, and that is true to some extent, but there is no way you can cut out more law enforcement and have better law enforcement. It is just not possible. You have to open crates, you have to look in trucks, and you have to examine, and people have to be there, and they have to know what they are doing.

● Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of section 126 of this act, which directs the President to undertake a comprehensive review of the issues and related data concerning possible changes in the existing incentives to produce crude oil from the North Slope of Alaska.

Since 1973, Alaska North Slope crude oil has been subject to an export ban, resulting in inefficiencies in transportation to east coast refineries and increased change of environmental damage from tanker traffic, the leading source of oil spills in the world. Additionally, the State of Alaska and the Federal Government have lost hundreds of millions of dol-

lars in revenue due to the existence of the ban.

This section would direct the President to consider the following impacts of lifting the export ban:

Impacts on energy and national security interests of the United States.

The role of lifting the ban on international energy policymaking;

The impact on jobs in the maritime, oil and other industries;

Impacts on refineries and consumers;

Impacts on Federal and State revenues;

Impacts upon future explorations and development of oil and gas;

And, the effect on the trade deficit of the United States.

In short, this section requires a comprehensive look at the question of lifting the export ban, and requires he report his findings and recommendations to Congress within 9 months.

I believe the facts will show great benefits to the State and Federal Governments, and that a partial lifting of the ban with certain conditions will prove attractive for Congress. I urge that the members support this important provisions by voting to suspend the rules for consideration of H.R. 1786. Thank you Mr. Speaker. ●

● Mr. LAGOMARSINO. Mr. Speaker, I rise to express my support for H.R. 1786, legislation to revise and extend the Export Administration Act of 1979, for the next 4 years.

While this legislation is not perfect, it does resolve some of the most contentious issues that have confronted the Congress for the past 2 years during its consideration of renewal legislation involving export controls.

With bipartisan support, this legislation, which is largely identical to a bill agreed to in conference last year, generally satisfies and strikes an important balance between needed national security and foreign policy controls for high tech strategically significant exports and the needed reforms urged by American industry.

I urge prompt adoption of this legislation so that our exporters can finally function with the certainty of clearly defined ground rules for their exporting operations. ●

● Mr. FEIGHAN. Mr. Speaker, I rise in support of H.R. 1786, legislation to reauthorize the Export Administration Act of 1979. This important piece of legislation defines the way in which the President can control American exports for economic, national security or foreign policy reasons. In granting this authority, Congress must consider both our national security and the legitimate interests of U.S. exporters. It must evaluate the effectiveness of export controls and weigh their political and military benefits against their economic costs.

In the past, a reasonable balance between export restrictions and export

promotion has not always been achieved. The economic costs of the grain embargo of 1980 and the pipeline sanctions of 1982 far outweighed their political benefits. The U.S. trade deficit for 1984 amounted to \$123 billion. We can no longer afford to impose ineffective and costly export controls. We need a more realistic and restrained approach to export restrictions.

With H.R. 1786, which essentially reflects the compromise achieved in conference last year, we have made substantial progress toward balanced legislation that protects our security interests abroad without hurting our business interests at home. This bill will prevent the flow of militarily sensitive technology to our adversaries more effectively by strengthening our ability to enforce existing export controls. It ensures a more cautious and effective use of foreign policy controls through improved congressional oversight and better defined criteria to be considered before imposing foreign policy controls. Finally, this bill will help promote exports and improve America's image as a reliable trading partner by providing contract sanctity and major improvements in the export licensing procedure.

Mr. Speaker, I am happy with the provisions of H.R. 1786, but I would like to express my deepest concern about one section that has been taken out of the Export Administration bill as passed by the House nearly 2 years ago. H.R. 1786 is without title III, the provisions dealing with South Africa. They were taken out as a sign of good faith on the part of the House to ensure a quick passage of the Export Administration Amendments Act.

I would hope that this fast-track approach, which has indeed produced remarkable progress on this legislation so far, will also be honored by the Senate and result in the passage of an identical version by that body. Furthermore, especially in light of the horrible massacres in South Africa, I would hope that both the House and the Senate act quickly and favorably on H.R. 1460. This bill, which was introduced by the gentleman from Pennsylvania [Mr. GRAY], and which I have cosponsored, includes most of the provisions on South Africa previously contained in title III of the Export Administration bill.

With these reservations in mind, I urge my colleagues to join me in my support of H.R. 1786 to reauthorize the Export Administration Act of 1979. ●

● Mr. McKINNEY. Mr. Speaker, I would like to register my support for H.R. 1786, legislation to reauthorize the Export Administration Act of 1979. For more than 2½ years, Congress has worked to revise and extend the Export Administration Act [EAA].



The EAA is complex legislation which is enormously important because it governs the exportation of critical technologies to potential adversaries, promotes foreign policy objectives, and controls exports of strategic materials. One of these strategic materials controlled by the EAA is Alaskan North Slope crude oil.

Last Congress, my distinguished colleague from Michigan, Representative HOWARD WOLPE, and I introduced legislation to amend the EAA to indefinitely extend the export restrictions on Alaskan oil. That legislation received overwhelming support in the House. Some 237 Members cosponsored the bill. We again have introduced similar legislation in an effort to demonstrate our concern over the importance of this portion of the EAA. H.R. 1786 contains an extension of controls on North Slope crude for 5 years and a provision to allow a comprehensive Presidential study on the impact of exporting Alaskan oil. While we believe a permanent export ban would be more desirable, we accept the House-Senate Conference agreement of last session as a sufficient measure to continue the export ban on this vital domestic resource.

Today, the reasons for not exporting Alaskan oil are as compelling as ever. Exporting Alaskan oil to Japan would be a dangerous smoke screen that would mask the fundamental problems underlying our trade inequities with Japan. This illusion of progress would seriously undermine our efforts to reduce Japanese barriers to American manufactured and agricultural goods. In addition, because of the higher cost of foreign imports versus the price of Alaskan oil, exporting Alaskan oil would mean that consumers would pay \$1 to \$2 billion more each year for petroleum products. Finally, the oil lost through exports would have to be replaced by imports from foreign sources. This would be a tremendous blow to our Nation's efforts to become energy independent.

Currently the controls on Alaskan North Slope crude and the many other provisions of the EAA are administered under the President's emergency authorities of the International Economic Emergency Powers Act. However, these emergency powers have been challenged in court, and will be subject to further legal challenges unless an EAA bill is promptly enacted. Therefore, I commend the members of the House Committee on Foreign Affairs for expeditiously reporting this reauthorization measure, and urge the support of the entire House on this matter. Passage of H.R. 1786 will ensure that the United States can effectively achieve its foreign policy aims, safeguard national security, and facilitate commerce. ●

● Mr. FASCELL. Mr. Speaker, I would like to acknowledge the efforts of

those Members of the House who have worked so diligently to resolve the differences which have made the renewal of the Export Administration Act such a lengthy and arduous process.

First, I would like to commend the chairman of the Subcommittee on International Economic Policy and Trade, Mr. BONKER, and his ranking member, Mr. ROTH, for devoting the better part of 2 years to guiding and staying with the difficult and complex process of moving a bill through the House and then negotiating with the Senate. They have done a masterful job and the House owes them a debt of gratitude. They have been supported in this process by the other members of the subcommittee who also have devoted considerable time to bringing to the House a finished product.

The chairman and members of other committees have also played an important role along the way. Members of the Committee on Ways and Means and the Committee on Armed Services served on the conference committee and helped produce the compromises. Some of those conference agreements led to jurisdictional issues with other committees in the House. I would like to express my personal appreciation to the chairmen and staffs of those committees—Chairman PEPPER of the Committee on Rules, Chairman DINGELL of the Committee on Energy and Commerce, and Chairman RODINO of the Committee on the Judiciary—for their willingness over the last several weeks to work with us in finding means to recognize and respect their jurisdictional interests while still permitting the expedited consideration of this bill. At this point I would like to insert in the RECORD an exchange of correspondence with Chairman DINGELL and Chairman ROSTENKOWSKI.

Mr. Speaker, this bill has been carefully drafted and the differences have been resolved, and I urged its support by the Members of the House.

COMMITTEE ON WAYS AND MEANS,  
Washington, DC, March 22, 1985.

Hon. DANTE B. FASCELL,  
Chairman, Committee on Foreign Affairs,  
House of Representatives, Washington,  
DC.

DEAR MR. CHAIRMAN: I am writing with regard to H.R. 28, the Export Administration Amendments Act of 1985, which the Committee on Foreign Affairs ordered favorably reported on March 21. Section 121 of that bill authorizes the President to impose import restrictions to enforce national security export controls under certain circumstances.

Through the cooperation of your Committee with conferees from the Committee on Ways and Means, this Senate provision was incorporated last year into H.R. 4230 as an amendment to the Trade Expansion Act of 1962 and passed by the House.

Since this same provision as amended is now contained in H.R. 28, the Committee on Ways and Means will not seek sequential referral of the legislation, with the understanding that waiver in this instance in no

way establishes a precedent or prejudices our jurisdiction over this section of the bill.

I appreciate the consideration that you and other Members of your Committee have given to the views of our Members on this and other Export Administration Act issues and wish you success in completing satisfactory Congressional action on this important legislation.

Sincerely yours,  
DAN ROSTENKOWSKI,  
Chairman.

MARCH 28, 1985.

Hon. DAN ROSTENKOWSKI,  
Chairman, Committee on Ways and Means,  
House of Representatives, Washington,  
DC.

DEAR MR. CHAIRMAN: Thank you for your letter foregoing the right of the Committee on Ways and Means to sequential referral of H.R. 28, or the likely subsequent clean bill.

Section 121 authorizing the imposition of import restrictions to enforce national security export controls does properly fall within the jurisdiction of the Committee on Ways and Means, and the decision of the Committee not to seek sequential referral will in no way derogate from the jurisdiction of that Committee.

I greatly appreciate your cooperation in expediting consideration of the Export Administration Act extension bill.

With best wishes, I am,  
Sincerely,

DANTE B. FASCELL,  
Chairman.

COMMITTEE ON ENERGY AND COMMERCE,  
Washington, DC, April 2, 1985.

Hon. DANTE FASCELL,  
Chairman, Committee on Foreign Affairs,  
House of Representatives, Washington,  
DC.

DEAR MR. CHAIRMAN: As you know, on March 14, 1985, I requested sequential referral of H.R. 28, the Export Administration Act Amendments of 1985. Several aspects of the bill involve matters within the jurisdiction of the Energy and Commerce Committee. On March 28, 1985, a clean bill, H.R. 1786, was introduced, incorporating Committee amendments to H.R. 28, and containing the same provisions of great interest to my Committee.

I understand your interest in a speedy process that would restore the legislative basis for U.S. export controls, which lapsed last October. Fashioning compromise language that may be acceptable to both House and Senate negotiators has taken considerable time and required the exceptional skills of the Members of your Committee. I sincerely appreciate your efforts and your desire to complete the process as quickly as possible.

In the interests of maintaining an accelerated schedule for this important legislation, I would agree not to seek referral of H.R. 1786 to the Committee on Energy and Commerce provided that the following changes were made in the bill and that the Foreign Affairs Committee explicitly recognized the shared jurisdiction of this Committee over these matters.

Section 126 of the bill directs the President to conduct a broad "review of the issues and related data" concerning "possible changes" in the existing "incentives" to produce crude oil from the North Slope of Alaska. It is clear that this section impacts heavily on domestic laws and policies that are matters within the jurisdiction of the Energy and Commerce Committee. The lan-

guage of section 126(b) should be amended to include a reporting requirement to, and consultation with, the Committee on Energy and Commerce.

Section 203(a) of the bill requires a study of Federal programs for the barter of commodities for foreign produced materials and products. Such materials and products clearly could include petroleum and petroleum products which would affect domestic energy supplies. The language of 203(a) should be amended to include consideration of the study by the Secretary of Energy. Section 203(b) of the bill creates a broad, new Presidential authority for a barter program. The section should be amended to ensure that such action conform to existing law by striking the phrase "Notwithstanding any other provision of law." In addition, a new subsection should be added which would require the Government to conform with applicable law when storing, distributing, or using petroleum or petroleum products acquired under this section. Finally the Secretary of Energy should report to the Congress on the effects on energy security and energy supplies of any action taken under this section to acquire petroleum or petroleum products.

Section 201 of the bill authorizes funds to the Department of Commerce to carry out export promotion programs. In so doing, the section defines export promotion to include "any activity of the Department designed to stimulate or assist United States business in marketing their goods and services abroad." Certain of the programs and activities funded by section 201 involve the jurisdiction of the Committee on Energy and Commerce. In agreeing to expedited consideration of H.R. 1786, the Committee on Energy and Commerce does not waive jurisdiction over these programs and activities nor its right to referral of similar authorizations in the future.

Provided that the changes identified above are agreed to and the jurisdiction of this Committee is properly recognized by the Foreign Affairs Committee, I will agree not to seek referral under the rules of the House with the understanding that waiver of this Committee's jurisdiction in this instance would not constitute a precedent for purposes of future referrals.

Sincerely,

JOHN D. DINGELL,  
Chairman.

COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, April 3, 1985.

Hon. JOHN D. DINGELL,  
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for the letter of April 2, 1985, which permits the expedited consideration of H.R. 1786, the Export Administration Amendments Act of 1985.

The amendments to sections 126 and 203 which you have requested will be made by the Committee on Foreign Affairs later today. I concur that the Committee on Energy and Commerce waiving its right to seek referral does not derogate from the jurisdiction of that Committee over matters covered by these two provisions or over certain programs and activities which are authorized under section 201 of the bill.

Mr. Chairman, I greatly appreciate your cooperation and that of your staff in helping to find a way to expedite floor consideration of H.R. 1786 while at the same time respecting the jurisdiction of both the Committee on Energy and Commerce and the Committee on Foreign Affairs.

With best wishes, I am,  
Sincerely yours,

DANTE D. FASCELL,  
Chairman.

● Mr. MICHEL. Mr. Speaker, in 1984, the United States suffered a record trade deficit of \$123.3 billion. Preliminary forecasts indicate that the trade deficit will reach another record high in 1985.

The weakening trade competitiveness of the United States is exacerbated by the retroactive application of foreign policy export controls which brands U.S. farmers and manufacturers as unreliable suppliers. I can report to you that in my discussions with Soviet leaders last week this was continually brought up as the major obstacle to increased trade with the Soviet Union.

For U.S. exporters, lost sales translate into reduced production, profits and reinvestment; for workers of these firms, they mean reduced wages or greater unemployment. For government at all levels—Federal, State, and local—they mean loss of tax revenues and increased unemployment and social costs.

The inclusion of effective foreign availability and contract sanctity provisions in the Export Administration Act is the only way to restore the reputation of U.S. exporting companies as reliable suppliers and to avoid unfair competitive burdens on U.S. exporters and workers.

I am glad to see that this bill is essentially the same as the conference agreement worked out between the House and the Senate last year. I assume, therefore, that the colloquy defining contract sanctity—which Congressman BEREUTER and I engaged in last October 11 when the conference report came up on the House floor—will continue to be part of the legislative history of this legislation.

This is a sound bill which will hopefully prevent any future grain embargoes or pipeline sanctions. It should restore the reputation of U.S. exporters as reliable suppliers by prohibiting the retroactive application of foreign policy export controls except in the most extreme circumstances.●

The SPEAKER pro tempore. All time has expired.

The question is on the motion offered by the gentleman from Washington [Mr. BONKER] that the House suspend the rules and pass the bill, H.R. 1786, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. BONKER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 883) to extend the Export Administration

Act of 1979, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 883

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 20 of the Export Administration Act of 1979 is amended by striking out "March 30, 1984" and inserting in lieu thereof "June 15, 1985".*

(b) The amendment made by subsection (a) takes effect on March 30, 1984.

MOTION OFFERED BY MR. BONKER

Mr. BONKER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BONKER moves to strike out all after the enacting clause of the Senate bill, S. 883, and to insert in lieu thereof the provisions contained in H.R. 1786, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title of the Senate bill was amended so as to read: "A bill to reauthorize the Export Administration Act of 1979, and for other purposes."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 1786) was laid on the table.

#### GENERAL LEAVE

Mr. BONKER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair will now put the question on each motion on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order: Senate Joint Resolution 15 and House Concurrent Resolution 110, both by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic votes after the first such vote in this series.



## HELSINKI HUMAN RIGHTS DAY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing Senate Joint Resolution 15.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. FASCELL] that the House suspend the rules and pass the Senate Joint Resolution, Senate Joint Resolution 15, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 390, nays 0, not voting 43, as follows:

(Roll No. 52)

## YEAS—390

Addabbo	Coyne	Green
Akaka	Craig	Gregg
Alexander	Crane	Gunderson
Anderson	Crockett	Hall (OH)
Andrews	Daniel	Hall, Ralph
Annunzio	Dannemeyer	Hall, Sam
Anthony	Darden	Hamilton
Applegate	Daschle	Hammerschmidt
Archer	Daub	Hansen
Armey	Davis	Hartnett
Aspin	de la Garza	Hatcher
Atkins	DeLay	Hawkins
AuCoin	Dellums	Hayes
Badham	Derrick	Hefner
Barnard	DeWine	Hendon
Barnes	Dickinson	Henry
Bartlett	Dicks	Hertel
Barton	Dingell	Hiler
Bateman	DioGuardi	Hillis
Bates	Donnelly	Hopkins
Bedell	Dornan (CA)	Horton
Bellenson	Downey	Howard
Bennett	Dreier	Hoyer
Bentley	Duncan	Hubbard
Bereuter	Durbin	Huckaby
Berman	Dwyer	Hughes
Bevill	Dymally	Hunter
Biaggi	Dyson	Hutto
Bliley	Early	Hyde
Boehlert	Eckart (OH)	Ireland
Boggs	Eckert (NY)	Jacobs
Boner (TN)	Edwards (CA)	Jeffords
Bonior (MI)	Edwards (OK)	Jenkins
Bonker	Emerson	Johnson
Borski	English	Jones (NC)
Bosco	Erdreich	Jones (OK)
Boucher	Evans (IA)	Jones (TN)
Boulter	Evans (IL)	Kanjorski
Boxer	Fascell	Kaptur
Breaux	Fawell	Kasich
Brooks	Feighan	Kastenmeier
Broomfield	Fiedler	Kemp
Brown (CA)	Fields	Kennelly
Brown (CO)	Fish	Kildee
Broyhill	Flippo	Kindness
Bruce	Florio	Klecicka
Burton (CA)	Foglietta	Kolbe
Burton (IN)	Ford (TN)	Kolter
Byron	Fowler	Kostmayer
Callahan	Frank	Kramer
Campbell	Franklin	LaFalce
Carney	Frenzel	Lagomarsino
Carper	Frost	Lantos
Carr	Fuqua	Leach (IA)
Chandler	Gallo	Leath (TX)
Chappell	Garcia	Lehman (CA)
Chapple	Gaydos	Lehman (FL)
Cheney	Gejdenson	Lent
Clay	Gekas	Levin (MI)
Clinger	Gephardt	Levine (CA)
Coats	Gibbons	Lewis (CA)
Cobey	Gilman	Lewis (FL)
Coble	Gingrich	Lightfoot
Coelho	Glickman	Lipinski
Coleman (TX)	Gonzalez	Livingston
Combest	Goodling	Lloyd
Conyers	Gordon	Loeffler
Cooper	Gradison	Long
Coughlin	Gray (IL)	Lott
Courter	Gray (PA)	Lowery (CA)

Lowry (WA)	Pashayan	Solarz
Lujan	Pease	Solomon
Luken	Penny	Spence
Lundine	Pepper	Spratt
Lungren	Perkins	St Germain
Mack	Petri	Staggers
MacKay	Pickle	Stallings
Madigan	Porter	Stangeland
Marlenee	Price	Stark
Martin (IL)	Pursell	Stenholm
Martin (NY)	Quillen	Stokes
Martinez	Rahall	Strang
Matsui	Ray	Stratton
Mavroules	Reid	Studds
Mazzoli	Richardson	Stump
McCain	Ridge	Sundquist
McCandless	Ritter	Swift
McCollum	Roberts	Synar
McCurdy	Robinson	Tallon
McEwen	Rodino	Tauke
McGrath	Roe	Tauzin
McHugh	Roemer	Taylor
McKinney	Rogers	Thomas (CA)
McMillan	Rose	Thomas (GA)
Meyers	Roth	Torres
Mica	Roukema	Torricelli
Mikulski	Rowland (CT)	Towns
Miller (OH)	Rowland (GA)	Traxler
Miller (WA)	Roybal	Udall
Mineta	Rudd	Valentine
Mitchell	Sabo	Vander Jagt
Moakley	Savage	Vento
Molinari	Saxton	Visclosky
Mollohan	Schaefer	Volkmer
Monson	Scheuer	Vucanovich
Montgomery	Schneider	Walgren
Moody	Schroeder	Walker
Moore	Schuetz	Watkins
Moorhead	Schulze	Weber
Morrison (CT)	Schumer	Weiss
Morrison (WA)	Sensenbrenner	Wheat
Mrazek	Sharp	Whitehurst
Murphy	Shaw	Whitley
Myers	Shelby	Whittaker
Natcher	Shumway	Whitten
Neal	Shuster	Williams
Nelson	Sikorski	Wilson
Nichols	Siljander	Wirth
Nielson	Skeen	Wise
Nowak	Skellton	Wolf
O'Brien	Slattery	Wolpe
Oakar	Slaughter	Wortley
Oberstar	Smith (IA)	Wright
Obey	Smith (NE)	Wyden
Olin	Smith (NH)	Wylie
Ortiz	Smith (NJ)	Yates
Owens	Smith, Denny	Yatron
Packard	Smith, Robert	Young (AK)
Panetta	Snowe	Young (FL)
Parris	Snyder	Zschau

## NOT VOTING—43

Ackerman	Grotberg	Regula
Billrakis	Guarini	Rinaldo
Boland	Heftel	Rostenkowski
Bryant	Holt	Russo
Bustamante	Latta	Seiberling
Coleman (MO)	Leland	Slusky
Collins	Manton	Smith (FL)
Conte	Markey	Sweeney
Dixon	McDade	Swindall
Dorgan (ND)	McKernan	Trafficant
Dowdy	Michel	Waxman
Edgar	Miller (CA)	Weaver
Fazio	Murtha	Young (MO)
Foley	Oxley	
Ford (MI)	Rangel	

□ 1500

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

Pursuant to the provisions of clause 5, of rule I, the Chair announces that

he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

## EXPRESSING SENSE OF CONGRESS THAT TAIWAN SHOULD CONTINUE TO COOPERATE IN THE CASE OF HENRY LIU AND TO CONCLUDE AN EXTRADITION AGREEMENT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 110.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. SOLARZ] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 110, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 387, nays 2, not voting 44, as follows:

(Roll No. 53)

## YEAS—387

Addabbo	Carper	Emerson
Akaka	Carr	English
Anderson	Chandler	Erdreich
Andrews	Chappell	Evans (IA)
Annunzio	Chapple	Evans (IL)
Anthony	Cheney	Fascell
Applegate	Clay	Fawell
Archer	Clinger	Feighan
Armey	Coats	Fiedler
Aspin	Cobey	Fields
Atkins	Coble	Fish
AuCoin	Coelho	Flippo
Badham	Coleman (TX)	Florio
Barnard	Combest	Foglietta
Barnes	Conyers	Ford (TN)
Bartlett	Cooper	Fowler
Barton	Coughlin	Frank
Bateman	Courter	Franklin
Bates	Coyne	Frenzel
Bedell	Craig	Frost
Bellenson	Crane	Fuqua
Bennett	Crockett	Gallo
Bentley	Daniel	Garcia
Bereuter	Dannemeyer	Gaydos
Berman	Darden	Gejdenson
Bevill	Daschle	Gekas
Biaggi	Daub	Gephardt
Bliley	Davis	Gibbons
Boehlert	de la Garza	Gilman
Boggs	DeLay	Gingrich
Boner (TN)	Dellums	Glickman
Bonior (MI)	Derrick	Gonzalez
Bonker	DeWine	Goodling
Borski	Dickinson	Gordon
Bosco	Dicks	Gradison
Boucher	Dingell	Gray (IL)
Boulter	DioGuardi	Gray (PA)
Boxer	Donnelly	Green
Breaux	Dornan (CA)	Gregg
Brooks	Downey	Gunderson
Broomfield	Dreier	Hall (OH)
Brown (CA)	Duncan	Hall, Ralph
Brown (CO)	Durbin	Hall, Sam
Broyhill	Dwyer	Hamilton
Bruce	Dymally	Hammerschmidt
Burton (CA)	Dyson	Hansen
Burton (IN)	Early	Hartnett
Byron	Eckart (OH)	Hatcher
Callahan	Eckert (NY)	Hawkins
Campbell	Edwards (CA)	Hayes
Carney	Edwards (OK)	Hefner

Hendon	McHugh	Sharp
Henry	McKinney	Shaw
Hertel	McMillan	Shelby
Hiler	Meyers	Shumway
Hillis	Mica	Shuster
Hopkins	Mikulski	Sikorski
Horton	Miller (OH)	Siljander
Howard	Miller (WA)	Skeen
Hoyer	Mineta	Skelton
Hubbard	Mitchell	Slattery
Huckaby	Moakley	Slaughter
Hughes	Molinari	Smith (IA)
Hunter	Mollohan	Smith (NE)
Hutto	Monson	Smith (NH)
Hyde	Montgomery	Smith (NJ)
Ireland	Moody	Smith, Denny
Jacobs	Moore	Smith, Robert
Jeffords	Moorhead	Snowe
Jenkins	Morrison (CT)	Snyder
Johnson	Morrison (WA)	Solarz
Jones (NC)	Mrazek	Solomon
Jones (OK)	Murphy	Spence
Jones (TN)	Myers	Spratt
Kanjorski	Natcher	St Germain
Kaptur	Neal	Staggers
Kasich	Nelson	Stallings
Kastenmeier	Nichols	Stangeland
Kemp	Nowak	Stark
Kennelly	O'Brien	Stenholm
Kildee	Oaker	Stokes
Kindness	Oberstar	Strang
Klecza	Obey	Stratton
Kolbe	Kolbe	Studds
Kolter	Ortiz	Sundquist
Kostmayer	Owens	Swift
Kramer	Packard	Synar
LaFalce	Panetta	Tallon
Lagomarsino	Parris	Tauke
Lantos	Pashayan	Tauzin
Leach (IA)	Pease	Taylor
Leath (TX)	Penny	Thomas (CA)
Lehman (CA)	Pepper	Thomas (GA)
Lehman (FL)	Perkins	Torres
Lent	Petri	Torricelli
Levin (MI)	Pickle	Towns
Levine (CA)	Porter	Traxler
Lewis (CA)	Price	Udall
Lewis (FL)	Pursell	Valentine
Lightfoot	Quillen	Vander Jagt
Lipinski	Rahall	Vento
Livingston	Ray	Visclosky
Lloyd	Reid	Volkmer
Loeffler	Richardson	Vucanovich
Long	Ridge	Walgren
Lott	Ritter	Walker
Lowery (CA)	Roberts	Watkins
Lowry (WA)	Rodino	Weber
Lujan	Roe	Weiss
Luken	Roemer	Wheat
Lundine	Rogers	Whitehurst
Lungren	Rose	Whitley
Mack	Roth	Whittaker
MacKay	Roukema	Whitten
Madigan	Rowland (CT)	Williams
Manton	Rowland (GA)	Wilson
Marlenee	Roybal	Wirth
Martin (IL)	Rudd	Wise
Martin (NY)	Sabo	Wolf
Martinez	Savage	Wolpe
Matsui	Saxton	Wortley
Mavroules	Schaefer	Wright
Mazzoli	Scheuer	Wyden
McCain	Schneider	Wyllie
McCandless	Schroeder	Yates
McCollum	Schuetz	Yatron
McCurdy	Schulze	Young (AK)
McEwen	Schumer	Young (FL)
McGrath	Sensenbrenner	Zschau

## NAYS—2

Nielson

Stump

## NOT VOTING—44

Ackerman	Ford (MI)	Regula
Alexander	Grothberg	Rinaldo
Billakis	Guarini	Robinson
Boland	Hefelt	Rostenkowski
Bryant	Holt	Russo
Bustamante	Latta	Seiberling
Coleman (MO)	Leland	Sisisky
Collins	Markey	Smith (FL)
Conte	McDade	Sweeney
Dixon	McKernan	Swindall
Dorgan (ND)	Michel	Trafiacant
Dowdy	Miller (CA)	Waxman
Edgar	Murtha	Weaver
Fazio	Oxley	Young (MO)
Foley	Rangel	

□ 1510

Mr. CRANE changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 528

Mr. STARK. Mr. Speaker, I ask unanimous consent that the name of Representative BILL LOWERY of California be removed from the list of cosponsors of H.R. 528.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

## COMMEMORATING 24TH ANNIVERSARY OF BAY OF PIGS INVASION TO LIBERATE CUBA FROM COMMUNIST TYRANNY

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from further consideration of the joint resolution (H.J. Res. 236) commemorating the 24th anniversary of the Bay of Pigs invasion to liberate Cuba from Communist tyranny, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HANSEN. Mr. Speaker, reserving the right to object, I do not object. I simply would like to inform the House that the minority has no objection to the legislation being considered.

Personally, many of us support this and commend the gentleman from Florida for putting this legislation together. We thank him for it.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the joint resolution, as follows:

## H.J. RES. 236

Whereas April 17, 1985, marks the twenty-fourth anniversary of the first day of the Bay of Pigs attempted liberation of Cuba by the heroic 2506 Brigade, a battle which entailed three days of fighting at a narrow strand of mangrove, bunch grass, coral head, and sand lying thirty miles from the towns of Giron and Playa Larga and bounded by the Bay of Pigs and the Cienga de Zapata swamp;

Whereas, on such day in 1961, the fourteen hundred gallant and intrepid men who

made up the brave 2506 Brigade were ill-equipped but possessing immeasurable spirit, courage, and determination, sought in the tradition of the great liberators Jose Marti and Simon Bolivar to liberate from Communist tyranny the beautiful isle of Cuba and reestablish freedom and democracy for the people of Cuba, that great island lying so close to the United States; and

Whereas the patriotic, noble, and sacrificial effort of the 2506 Brigade to liberate Cuba as in the same patriotic spirit that prompted other courageous and intrepid men to liberate the American colonies from a foreign monarch and establish freedom and democracy in America; and

Whereas the people of the United States proudly commend those courageous warriors who fight for the cause of freedom and justice anywhere in the world and the Congress wishes to express the commendation of the American people to the gallant warriors of the 2506 Brigade who made such an historic effort to establish freedom and democracy in Cuba: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That April 17, 1985, be commemorated as the twenty-fourth anniversary of the Bay of Pigs invasion to liberate Cuba from Communist tyranny.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. GARCIA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Joint Resolution 236, the joint resolution just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

## REPUBLICAN PLEDGE TO SUSTAIN PRESIDENTIAL VETO OF LEGISLATION RAISING TAXES

(Mr. BOULTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOULTER. Mr. Speaker, yesterday, my colleague from Florida, CONNIE MACK, and I had the honor of meeting with the President to present a letter, signed by 146 Republican Members of this body, who have pledged to sustain a Presidential veto of any legislation raising taxes.

The magic number—146—is assurance that such a veto cannot be overridden.

I hope that this letter will serve as a warning to any in this body who might want to try to raise the taxes of the American people. Rather than waste time on an effort that is guaranteed to meet with both a Presidential veto and House support of that veto it is time that this body begins actively cutting Federal spending.



The White House and the leadership in the other body have come up with a deficit reduction plan. It may not be perfect, but it is a genuine compromise, and one that should be considered as a beginning. Our options, which have been pointed out by Budget Director Stockman, are clear. Either we start now to reduce Government spending, or we do exactly what the people of the United States voted against last November—raise taxes.

Mr. Speaker, in light of the letter presented yesterday and the votes of the American people on November 6—there is only one choice. It's time to start a massive housecleaning of the Federal budget.

#### **FREEZE CONCEPT FIGHTS THE DEFICIT**

(Mr. McKINNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McKINNEY. Mr. Speaker, 2 weeks ago, the House had its first major opportunity to use the "freeze concept" as a method of controlling our Nation's deficit. The measure before us, as you recall, was the NASA reauthorization bill for fiscal year 1986. The task before us, however, was to decide whether we would let slide an authorization bill 5 percent over the 1985 appropriation level, or begin to exercise prudence and fiscal responsibility to curb Federal spending. As you recall, Mr. Speaker, the House overwhelmingly decided in favor of the Morrison-Pursell amendment, which I supported, freezing the NASA authorization at the fiscal 1985 level. Three hundred and sixty-nine Members of this House voted to freeze the budget of the agency. This was a major statement—we, in Congress, are going to take seriously our duty to tackle the deficit problem.

This week, we have before us two more authorization bills, one for the National Science Foundation and one for the National Bureau of Standards. These bills contain authorization levels over last year's appropriation levels; 6 percent and 13 percent respectively. As I mentioned on the floor in support of the Morrison-Pursell amendment, if we are going to live up to what we are all saying, "fairness, hold the line, and cut the deficit," we must do so authorization by authorization. With all due respect to the members and staff of the Science and Technology Committee, who carefully and diligently prepared, marked up, and presented us with these bills, the House cannot vote in favor of these authorizations in their present form. We must continue to be serious about addressing the deficit and, once again, call upon the freeze concept.

I have always been and will continue to be in favor of science research and

development—but right now we must hold the line. I call upon the Science and Technology Committee chairman and ranking minority member to take into account the sentiment present in this House which demands getting the budget back under control. And, in anticipation of action to impose a freeze at last year's appropriation levels, I believe it would be fitting that the committee itself take the initiative to amend the authorization levels to correspond with the will of this body. The committee members know best the various programs embodied in these authorizations, and they have the expertise to come up with the necessary cuts to bring down costs to last year's levels.

It is inevitable that the House will use the freeze concept this week as a means to fight the deficit. I hope that with the cooperation of the Science and Technology Committee, we are not only able to demonstrate fiscal responsibility, but also are able to ensure maximum effectiveness in the programs authorized by these bills. I invoke the wisdom and determination of this House and urge my colleagues to freeze the authorization levels of the National Science Foundation and the National Bureau of Standards at last year's appropriation levels.

#### **WOMEN PARLIAMENTARIANS WORK FOR PEACE**

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. SCHROEDER. Mr. Speaker, May Britt Theorin, Swedish Member of Parliament and only woman in the world representing a government at the disarmament talks in Geneva, encapsulates the spirit of two other great Swedes, Raul Wallenberg and Alva Myrdal.

Raul Wallenberg saw a holocaust going on around him and did everything in his power to stop it. Alva Myrdal has done some of the world's most creative thinking on arms control.

May Britt Theorin sees the possibility of a nuclear holocaust increasing daily, with nothing constructive being done about it, only a constant quickening of the arms race.

This year she decided to gather female parliamentarians from five continents to prepare a statement on the arms race for the July 1985 Nairobi World Conference To Review and Appraise the Achievements of the United Nations Decade for Women. Women will end the decade in worse shape economically than they began it and in a world where the chance of a nuclear holocaust has increased, not decreased. To better the position of women and children, the arms race

must be stopped. I will place in the RECORD today the statement that resulted from the Stockholm seminar. Representative BARBARA BOXER suggested a permanent World Women Parliamentarians for Peace Group, and the delegates enthusiastically accepted it. The group is now permanent.

In this year, the 40th anniversary of the Hiroshima, and the end of World War II in Europe, women parliamentarians joining together to promote peace and disarmament is good news.

The statement of the women parliamentarians follows:

**JOINT STATEMENT ISSUED ON 12 APRIL 1985 IN STOCKHOLM BY WOMEN PARLIAMENTARIANS FROM 15 COUNTRIES AND ALL CONTINENTS INCLUDING CONGR. WOMEN SCHROEDER, SCHNEIDER, AND BOXER OF THE UNITED STATES**

As women parliamentarians—representing 15 countries from all continents and of differing political systems—we are unified in our concern for peace and disarmament. We come together four decades after the founding of the United Nations, and at the end of the United Nations decade for women, to be evaluated in Nairobi but also four decades after the second World War and the nuclear bombing of Hiroshima and Nagasaki.

Facing a world rife with conflict, bristling with arms and riddled with hunger and malnutrition we view these anniversaries as a time for concrete progress in stopping the arms race—a fundamental obstacle to peace, equality, and development. This is the interrelated agenda of the Nairobi Conference.

Women have so far had inadequate influence on decision-making concerning war and peace, military budgets and structures, disarmament negotiations and resolution of conflicts.

For true equality to become a reality for women, the sharing of power on equal terms with men is vital. Women should fully participate in all efforts, including negotiations, to strengthen and maintain peace and to promote international co-operation, détente and nuclear and conventional disarmament. Governments must implement this by institutional, educational and organizational changes.

Achieving peace, security, disarmament, economic and social development is an indivisible task. As women parliamentarians, we are keenly sensitive to this reality. We call on all women to join us in the task of making governments realize this and to counter the negative economic consequences of the arms race.

We consider that the concept of peace includes not only the absence of war, violence and hostilities at international and national levels, but also social justice and equality for all nations and for all people.

Lack of progress towards disarmament has meant a continued and compounded drain on world resources. It has not been possible to free any amount, however modest, from the unproductive and spiralling arms race for the long-term solution of social and economic problems.

Urgent action is needed to halt the technological escalation of the conventional and nuclear arms race. To achieve this goal we recommend the reallocation of funds to non-military research and development, limits on international arms transfers in general, particularly to areas of conflicts,

and the conversion and redeployment of resources released from military purposes to economic and social aid to developing countries.

Men and women all over the world long for peace and justice. Interdependence between nations is greater than ever. Unfortunately, the search for security has too much been based on national aspirations and armaments, and too little on common efforts towards mutual understanding and international peace. It is our firm belief, that this pattern has to be broken, if humankind is to survive. In the nuclear age, security must be based on common interests instead of confrontation and nuclear deterrence. The technological imperative of the arms race must be replaced by concrete political initiatives for disarmament.

In principle all nations and governments condemn the arms race, but in practice they participate in that race. The dilemma is to find ways of transition from one security system to a different one. As women parliamentarians we fully realize this difficulty, but we cannot accept the existing stalemate, which prevents progress in the necessary disarmament process.

We therefore propose these transitional measures: an immediate moratorium on the testing, production and deployment of nuclear weapons and their delivery vehicles, reciprocally undertaken by the Soviet Union and the United States followed by the other nuclear powers. We also propose negotiations aiming at formal agreements beginning with a comprehensive test ban treaty. We further call for the absolute prevention of an arms race in space. These actions constitute the foundation for agreements on sharp reductions of the immense arsenals of nuclear and conventional weapons.

We urge the Nairobi Conference to support the proposals outlined in this statement, which are aimed at promoting peace, equality and development.

Unified in our concern for peace and disarmament and convinced that the arms race is a fundamental obstacle to peace, equality and development we have formed World Parliamentarians for Peace. The compelling agenda of this network will be the implementation of these and other proposals at the national and international level. We invite women parliamentarians from all continents and political systems to join us in this urgent task.

#### THE TIME IS LATE—DO YOU KNOW WHERE YOUR CONGRESSMAN IS?

(Mr. MARLENEE asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. MARLENEE. Mr. Speaker, a well written editorial in yesterday's Times entitled "Welcome Back Congress" should be addressed and referenced to American voters across the Nation and could well have been entitled, "The Time Is Late—Do You Know Where Your Congressman Is?"

Every voter and more specifically every member of every congregation in America should read the series entitled "The Network." It is well documented and well referenced. Washington's major newspaper, the Times, has done a superb job of exposing how the Sandinistas, the Marxists, and their

surrogates are manipulating public opinion, misleading the American people, and using well meaning people and church groups.

I will be submitting into the RECORD from day to day the series documenting the abuse.

After reading this series I would speculate that anger and frustration will elevate to new levels when the American public realizes how foreign ideologies are using our system against us.

While the freedom fighters—Contras—are fighting for true democracy, here at home several misguided groups are attempting to subvert precious U.S. aid to the cause for freedom in Central America.

But missing from the efforts of these groups are calls for Cuba and the Soviet Union to curtail the massive amount of military weapons and ammunition that are flooded into Nicaragua daily. There are no calls for the thousands of Cuban, Soviet, Libyan, PLO, North Korean, and East German military advisers to leave Nicaragua. And there are no calls for Nicaragua to end its support of Marxist guerrillas fighting in the region.

I urge my colleagues not to play politics with freedom. Support the only hope of freedom in Nicaragua.

#### DISINFORMATION: TWISTED FACTS DISTORT REALITY

(By Arnaud de Borchgrave, Editor-in-Chief)

President Reagan told The Washington Post last week that "we've been subjected, in this country, to a very sophisticated lobbying campaign by a totalitarian government—the Sandinistas. There has been a disinformation program that is virtually worldwide, and we know that the Soviets and Cubans have such a disinformation network that is beyond anything we can match."

The Post in particular, and the liberal media in general dismiss the very notion of Soviet and Soviet-proxy disinformation as a manifestation of mindless anti-communism. In a column headlined "Sandinista Disinformation?"—the question mark was designed to discredit the president's irrefutable statement of fact—The Post's deputy editorial page editor, Stephen S. Rosenfeld, wrote, in effect, "Yes, but so what?"

So a lot, Mr. Rosenfeld.

Vietnamese officials (e.g., General Giap himself) and defectors have confirmed that disinformation operations in the U.S. media and on Capitol Hill played a major role in changing perceptions about that war.

The former justice minister of so-called National Liberation Front of South Vietnam—created and controlled by the Hanoi government—escaped among the boat people. He has testified that clever disinformation operations led us to believe that the 1968 Tet offensive was an unmitigated disaster for the United States.

So pervasive was this perception—this misperception—that President Johnson felt compelled to abdicate a few months later. The reality, according to Truong Nhu Tang, was the other way round. Tet was an unmitigated disaster for Hanoi.

There is every indication that the liberal media and the Congress do not support the

Reagan administration's policy in Central America—notwithstanding the endorsement of the bipartisan Kissinger Commission report in January 1984. But there is also every indication that disinformation and Soviet-Cuban-Nicaraguan "active measures" have played a crucial role in laying the groundwork for yet another U.S. strategic defeat.

There are many groups in the United States whose media connections are an open secret. Their mission is to shade, embroider and distort the truth for their own disinformation agenda, while excoriating anyone else who is less than truthful.

These groups have helped nurture an entire new generation of journalists who have made it their duty to transform America's sworn enemies into misunderstood innocents, while at the same time portraying our own leaders as the foes of democracy and freedom.

Apologists for communism in Cuba, Vietnam, Angola, Mozambique, Ethiopia, Nicaragua, Afghanistan and elsewhere have argued that they were driven down the Marxist path of hostility because of abuse by the U.S. government. That this is sheer, unadulterated disinformation is confirmed by communist dissidents and defectors, yet it is still eagerly regurgitated by the liberal establishment on both sides of the Atlantic.

How is it possible that so many intelligent people accept these dangerous misconceptions as the geopolitical gospel? Disinformation is the key. The Washington Times, beginning today and ending Friday, will unravel "The Network" that has been poisoning the lifeblood of democracy.

How does it do this? Quite simply by distorting the data and corrupting the process of understanding in such a way that it leads public opinion to react differently than if it understood the true nature of reality.

It would behoove the Congress to take note before our elected representatives vote yet another resolution that will once again make it possible for the Marxists to steal a revolution from the people, only to impose a totalitarian dictatorship more draconian than the authoritarian regime that was overthrown.

#### WELL-OILED PROTEST MACHINE AIMS TO KILL CONTRA AID

(By John Holmes and Bill Outlaw)

Intelligence experts call it "The Network"—a massive but almost invisible spiderweb of hundreds of left-wing groups and organizations, linked together by sinewy threads of personnel, ideology and politics, and seeking dramatic changes in the social, economic and political policies of the United States government.

And now, The Network has focused its attention and resources on its latest target: President Reagan's Latin American policy.

Last Thursday night, shortly after President Reagan announced his plans for bringing a halt to conflict in Nicaragua, a coalition of pacifist church groups began to prepare for a program of "nationally coordinated legal vigils and phone-ins" of protest.

Dennis Marker, spokesman for that coalition, which is called Pledge of Resistance, was quoted over the weekend as saying that an "active alert" went out over its 55,000-person telephone network. Members of this network were told to call their congressmen the day after Mr. Reagan makes a future television speech on Nicaragua and urge them to vote against his policies.



This apparently well-oiled protest machine is just a small part of what is called The Network. Over the years, those who organize, operate and manipulate this web have thrown their efforts behind many causes opposed to policies of the administration.

The Network consists of literally hundreds of groups on the left side of the religious and political spectrum. Many are shoebox and telephone booth outfits—small groups of cause-oriented people working in cramped spaces for little or no money. Some, however, are large, well-funded and highly organized.

Most of these organizations claim to be nonpartisan and independent, interested in such noble causes as 'human rights' and 'social justice.' To a degree, that's true; and many individuals who participate in these activities are motivated out of a genuine sense of righteousness and altruism.

But in many cases, that's not the whole truth.

Wall Street Journal columnist Suzanne Garment pointed out that "there is by now—on the American left—a whole cottage industry using the language of human rights and social justice to delegitimize" the United States' efforts to nurture democratic, anti-communist regimes in Latin America.

"While these organizations portray themselves as 'objective' observers of Latin America, this often is not the case," said Joan Fraley, an analyst writing in the Heritage Foundation's "Policy Review."

"Analysis of Latin American issues is offered mainly by organizations whose fundamental ideological perspective is sharply suspicious of, if not openly hostile to, U.S. policy in this region."

Of course, legitimate differences of opinion and debate are essential to the democratic process. But experts who have observed The Network over many years point out that some of the groups employ questionable tactics, including the planting of disinformation and outright deception—a tactic known as "active measures."

"Anything that advances their cause is, in their eyes, the truth. Anything that retards it becomes an untruth," wrote Auguste Le-coeur, a former high-ranking Communist Party official in France, who was drummed out for protesting the Soviet invasion of Czechoslovakia.

Adds one analyst: "Ever since the creation of the World Peace Council by the Soviet Union in 1949, Moscow has manipulated the slogan 'peace' as a weapon of 'war'."

And some groups in The Network actively cooperate with organizations established by the Kremlin for just these "active measures," proclaiming allegiance nevertheless to the lofty goal of "world peace."

The president himself expressed concern over this aspect of The Network.

"We've been subjected, in this country, to a very sophisticated lobbying campaign by a totalitarian government—the Sandinistas," Mr. Reagan said.

"There has been a disinformation program that is virtually worldwide, and we know that the Soviets and the Cubans have such a disinformation network that it is beyond anything that we can match," the president said in a recent interview with The Washington Post.

Mr. Reagan has proposed \$14 million in aid for Nicaraguan resistance. Congress has until late April to act on the president's proposal.

In 1978 Brian Crozier, a London-based, veteran Soviet affairs analyst, called the IPS the "perfect intellectual front for Soviet activities which would be resisted if they were to originate openly from the KGB."

Mr. Crozier later stated that in 1982 the IPS concluded a public arrangement with two Soviet institutions used regularly by the Kremlin for "active measures" against the West.

IPS co-founders Richard Barnet and Marcus Raskin "are both specialists in 'blame-America-for-everything lobby,'" said Rael Jean Isaac, a close observer of The Network, in an interview.

Writing in "Midstream" magazine in 1980, Mrs. Isaac stated, "What IPS is really concerned about is assuring United States withdrawal of support from 'reactionary' regimes worldwide. Once that is done, IPS is quite confident in the ability of 'progressive' forces (backed presumably by 'progressive' arms of Cuba, the Soviet Union, etc.) to achieve victory."

Robert Borosage, IPS director, maintains that allegations of Soviet influence on the institute are "preposterous."

He said the organization has had meetings with the Soviet Academy of Sciences but said these are done to promote an exchange of ideas. Asked about allegations that IPS is strongly influenced by those meetings, Mr. Borosage said "That's ridiculous. It's an open dialogue between two institutes."

He said IPS itself does not take a position on issues, but that institute fellows are free to take a position in their research. He further stated that efforts to link the IPS to pro-Soviet positions are attempts to "discredit" the organization.

"The IPS, nevertheless, has espoused many Soviet, Cuban and North Vietnamese positions since its creation 23 years ago," said an analyst. "It has acted as a conduit for major Soviet disinformation themes."

Depending on the specific task at hand, members of The Network will work together or separately. Cooperation isn't mandatory, or even easy at times, but they often pool their resources to great effect.

While on the surface separate, free-standing entities, each seems to specialize in a specific area. IPS keys much of its efforts to research; COHA has mastered the art of influencing—and, some say, manipulating—the media.

CISPES and other solidarity groups organize demonstrations and protests on university campuses across the country and around the world. The National Council of Churches, the Interreligious Task Force on Central America and others seek to spread their liberal political gospel in the religious world.

Many of these groups, both politically and religiously oriented, are banding together later this month to stage one of the largest, most overt shows of strength in some time. They will be protesting "Reagan's War In Central America."

Organizations such as the Women Strike for Peace, CISPES, the Mobilization for Survival and the U.S. Peace Council—which the FBI has characterized as Soviet-controlled—are organizing and sponsoring a four-day weekend of activity in Washington, D.C., and around the country beginning April 19.

[When the U.S. Peace Council was set up in 1979 as one of the Moscow-controlled World Peace Council's 137 national branches, numerous U.S. and state congressmen participated in the founding conference and subsequent meetings.]

The upcoming weekend of activity, according to the groups' literature, will include protests, marches and rallies, as well as "training sessions" for lobbying and civil disobedience, activities that the groups plan to carry out primarily on Monday, April 22.

Similar activities also are planned for New York, Seattle, San Francisco, Los Angeles and other cities. Organizers expect 20,000 protesters for the Washington rally.

But while such demonstrations are the most obvious and blatant shows of strength, the key element and single most important facet of The Network's operation is influencing policy- and decision-makers.

These groups may not see themselves as "lobbyists" and, in the classic sense of glad-handers in three-piece suits who spend their days chatting up congressmen and staff assistants, they are not.

But if "lobbying" can be defined as an attempt at persuasion through education, then there is little doubt that these groups are "lobbyists," and very effective ones at that.

A major reason many of these organizations so vehemently renounce the label of "lobbyist" is legal. Groups such as IPS, COHA and WOLA are non-profit, tax-exempt organizations. That is a highly desirable status that might be jeopardized if they were deemed to be engaged in influencing legislation.

"We don't do lobbying on the Hill," said Larry Birns, COHA's founder and director.

"We've never lobbied. I don't think I've been to Capitol Hill 10 times in the past 10 years."

Reggie Norton, an associate at WOLA, admits that WOLA representatives meet and talk with members of Congress and their staffs, but disagrees that that constitutes lobbying.

"We don't lobby," he said. "I don't see them and say, 'vote against the Contras.' I go in and say this is the situation we saw and a peaceful solution is possible."

And IPS' Borosage stated that institute fellows may talk with a lot of people in Washington about a wide range of issues, but said that these are not pegged to any congressional agenda.

There is, however, little question to conservatives involved in the Latin American question that these groups are lobbying.

"Lobby? Absolutely," said the ASC's Sam Dickens. "They have an extremely effective lobby, particularly with staffers on the Hill."

The Network uses a variety of tactics in their efforts to influence Congress and public opinion. The primary technique in dealing with Congress is the passing of information, at least some of which is held by many conservatives to be biased or misleading.

Mr. Dickens explains that representatives from these groups establish contacts with congressional staffers and supply them with "slanted" information. Some staffers then pass the information to members of Congress.

Often, some of the material ends up in the Congressional Record, in speeches the congressmen give, in mailings they send out, or in articles they write for various publications.

COHA Director Larry Birns boasts that his people prepare as many as 100 Congressional Record inserts each year for various legislators, including, according to Mr. Birns, D.C. Delegate Walter Fauntroy, Rep. James Oberstar, D-Minn.; Rep. Don Bonker, D-Wash.; and Sen. Tom Harkin, D-Iowa.

Some of the individuals with the groups—most notably IPS and COHA—also generate opinion pieces for major newspapers around the world. Articles by IPS fellows can frequently be found on the New York Times and Washington Post's opinion-editorial pages and are picked up by many of America's 1,700 daily papers.

Some media watchdogs have complained that IPS is seldom, if ever, identified in these publications as a radical think-tank on the left. Rather, it is frequently termed a "Washington-based research institute," as the New York Times has called it.

COHA issues scores of press releases each year. Mr. Birns claimed COHA is merely spreading the word, but those on the other side accuse him of manipulating the media by passing his information as straight news.

"COHA is not a human rights group. It is a left-wing foreign policy group that often masquerades as a human rights group," said Elliott Abrams, assistant secretary of state for human rights and humanitarian affairs.

"If you read what they've had to say through the years about human rights violations in Surinam, or Bishop's Grenada, or Cuba—worst of all, Cuba—you will see that they don't care about human rights in leftist or Communist regimes," he said.

Some groups such as WOLA—which Mr. Dickens describes as "openly supportive of the Sandinista government"—go far beyond the gathering and distribution of information.

"In addition to lobbying, they're [WOLA] taking people to Nicaragua on the guided tour effort," Mr. Dickens says. "They're playing an activist role in getting people to be supportive." WOLA's Mr. Norton maintains that they merely allow people to see the situation in Nicaragua for themselves.

Some of the church-related groups also are heavily involved in this "guided tour" effort, an activity that appears to be growing in popularity throughout The Network.

"Some of these church-related groups seem to think the Sandinista regime is just another form of government," said one analyst. "But even the Sandinista anthem refers to the U.S. as 'the enemy,'" he said. [The verse in question is: "The children of Sandino don't surrender or sell out. . . . We fight against the Yankee, enemy of humanity."]

Much of the left-wing church activity is coordinated through the National Council of Churches, the umbrella group covering 32 major Protestant and Eastern Orthodox churches with congregations totaling 42 million people.

Since the mid-1960s, the NCC has actively campaigned for what it calls "social justice." But, said one observer, "just think of any left-of-center cause and the NCC has been involved."

Through the liberal church network maintains its own agenda, it is extremely similar, if not identical, to that pursued by its secular counterpart. And in many cases, the two groups are tightly interwoven, sharing common goals, projects, ideology and membership.

The North American Congress on Latin America, for instance, was established in the NCC offices in Washington, D.C., and receives financial support from numerous Protestant churches through the NCC's Latin American Division and through specific projects like the Presbyterian hunger program, according to a report by the independent Institute for Religion and Democracy.

And the Heritage Foundation quotes WOLA's 1983 annual report as saying that

WOLA received \$124,000 from the United Methodist Church.

The IRD has documented mainline Protestant church support for left-wing political activities in the United States and to Vietnam. The United Methodist Board has contributed to the national Network in Solidarity with the Nicaraguan People, which was founded "to support and defend the Nicaraguan revolution," and other solidarity groups that assist the Salvadoran rebels, according to IRD.

In her book, "The Coercive Utopians," Rael Jean Isaac details many examples of the ways in which church groups fund leftists in Central America and around the world. Primary among her tales is that of David Jessup, an AFL-CIO official and member of the United Methodist Church, who studied Methodist contributions and reported to the 1980 General Conference of the Church.

"Most Methodist churchgoers would react with disbelief, even anger, to be told that a significant portion of their weekly offerings were being siphoned off to groups supporting the Palestine Liberation Organization, the governments of Cuba and Vietnam, the pro-Soviet totalitarian movements of Latin America, Asia and Africa, and several violence-prone fringe groups in this country," Mr. Jessup wrote.

Another group, the American Friends Service Committee, has become involved in political controversy.

In December 1984, the Citizens for Reagan submitted a letter to the Internal Revenue Service requesting an investigation of the AFSC and four other groups. CFR stated that the groups were violating the rules governing their tax-exempt status because they were engaged in "substantial lobbying" and political activities in favor of the Sandinista regime in Nicaragua and in opposition to U.S. policy in Central America.

As one observer of The Network put it, "the church lobby is important because they give (the debate) respectability. You can't argue with priests and nuns," he said.

#### CRISIS IN CENTRAL AMERICA

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and include extraneous matter.)

Mr. ALEXANDER. Mr. Speaker, last night, addressing the Nicaraguan Refugee Fund, President Reagan said, and I quote, "The national security of all the Americas is at stake in Central America."

The Public Broadcasting System has produced a series entitled "Crisis in Central America" which illustrates the history of U.S. policy in Latin America beginning about 1900.

□ 1220

The series was produced for Front Line by WGBH in Boston in association with the Blackwell Corp. and made available to the House Broadcasting System by Charles Benton of Chicago.

The first series, entitled "The Yankee Years" will be broadcast today on the House Broadcasting System at 1:30, followed by a 2:20 episode entitled "The Castro Revolution" and

then it will be followed by two broadcasts on Thursday at 1:30 and 2:30 respectively, "Revolution in Nicaragua" and "The Battle for El Salvador."

I urge all my colleagues and all staff associates to prepare for the upcoming debate on the Contra aid and the refugee relief as requested by the President by viewing this series.

[From the New York Times, Apr. 9, 1985]

"CRISIS IN CENTRAL AMERICA," ON PBS

(By John Corry)

"Crisis in Central America" confronts a question it does not explicitly raise: Is the United States responsible for the crisis? The four-part "Frontline" series provides no answer, expecting us to find it ourselves. We can, although we must work at it, perhaps harder than we may wish. The series, beginning on Channel 13 at 9 tonight, continues through Friday.

The episode tonight, "The Yankee Years," begins with flickering old film: it is 1898; United States troops land in Cuba. Interventionism has begun. The Panama Canal is dug. United Fruit reaps its harvests. Marines are sent to Nicaragua. The Central Intelligence Agency manipulates Guatemala. For more than 50 years, American interests flourish.

Tomorrow night's program deals with the Cuban revolution and its aftermath. Nicaragua is examined on Thursday, and El Salvador on Friday. The final image in the series, a freeze frame, is "a crowd of Salvadorans," the narrator tells us, "who came to witness the prospect of peace."

The series, using old film and interviews, is even-handed, determinedly so. For example, a former Marine, who fought Augusto César Sandino, the Nicaraguan rebel, in 1926, says, "I think the natives really favored the Marines." A Nicaraguan says, "We wanted to shoot them, and run them through with machetes." Thus the format: credit the United States, if only for good intentions; then penalize it for insensitivity or something worse. There is balance.

Therefore, "Crisis in Central America" suggests that the United States was neither as malevolent as critics claim, nor as benevolent as apologists insist. The most interesting sequence in the first program looks at an inglorious episode: the Central Intelligence Agency-sponsored coup that overthrew Jacobo Arbenz Guzmán in Guatemala in 1954.

The Arbenz Government, democratically elected, was influenced, but apparently not led, by Communists. Mr. Arbenz began labor and land reform, including the appropriation of 80 percent of the land owned by United Fruit. Secretary of State John Foster Dulles, alarmed, dispatched an envoy, who demanded that Mr. Arbenz remove Communist labor leaders. Mr. Arbenz refused.

Consequently, the Eisenhower Administration decided to remove Mr. Arbenz. Richard Bissell, a former Special Assistant to the Director of Central Intelligence, says in an interview that there "is absolutely no reason to believe" the desire to help United Fruit played "any significant role" in reaching the decision.

The dominant factor was presumably Mr. Dulles' obsession with Soviet expansionism. Whatever it was, however, was incidental. The coup, fabled today, was carried out largely by a C.I.A. radio station that broadcast news of a "liberation" army. The army



was actually 150 Guatemalans in a few trucks and station wagons.

As coups go, this wasn't much. Reasonable people may agree that it was wrong for the United States to intervene, although the principal result was unintended. Mr. Bissell hints at it delicately: "In other situations, in other countries, too much reliance was placed on the method that had been successful."

Possibly, he is thinking of the disastrous 1961 invasion at the Bay of Pigs in Cuba. Meanwhile, José Figueres Ferrer, the former President of Costa Rica, notes that "the leftists have great propaganda machinery" and that the Guatemalan intervention provided the left with a cause.

"The Yankee Years" suffers from omission—it suggests that Central American history began around 1900, which ignores 300 years of wars, revolutions, European adventurism and local politics. But certainly unrest did grow after Guatemala in 1954. Anastasio Somoza García was assassinated in Nicaragua in 1956; Carlos Castillo Armas, the C.I.A.'s Guatemala heir, was killed a year later. By then, Fidel Castro had landed in Oriente Province in Cuba. Two years later, he entered Havana.

"Crisis in Central America" is addressing another foreign policy concern here. It is implicit and unspoken, but it is there: no more Vietnams; no more Cubas, either. Tomorrow night's episode, "Castro's Challenge," looks at the problem.

Fidel Castro overthrew Fulgencio Batista, a thug. American moderates rejoiced, but too quickly. Cuba soon became a Soviet client. "Castro's Challenge" does not argue that world peace would have been better served with Batista, although it does note that Mr. Castro's ascension led to the Cuban missile crisis, and that Cuba dispatched 30,000 troops to Angola in 1975 and 10,000 troops to Ethiopia in 1978. Batista may have been odious, but he did not export violence.

Moreover, right-wing dictatorships such as Batista's sometimes evolve into democracies, while left-wing dictatorships such as Mr. Castro's do not. More than one million Cubans have fled their country. Does this mean the United States should support right-wing dictators? This is an unpalatable proposition, and "Crisis in Central America" is cautious.

Therefore, we get Fred C. Icklé, an Under Secretary of Defense, raising the possibility that Nicaragua may turn into another Cuba. Hence we should oppose the Sandinistas. We also get Michael D. Barnes, a liberal Democratic Congressman from Maryland, saying that the Administration has chosen the worst possible way to deal with Nicaragua: C.I.A. involvement with old allies of the Somozas. If anything, Mr. Barnes says, this will unite the Sandinistas and their allies against us.

It is possible that Mr. Icklé and Mr. Barnes both share a part of the truth. "Crisis in Central America" is often plodding, and sometimes repetitious. Visually, it is not nearly as gripping as "Vietnam: A Television History," the public television series with which it will most often, even if unfairly, be compared. But it does give us a sense of complexity. In an age in which simplistic rhetoric flourishes, that's an accomplishment of note.

"Crisis in Central America" was produced for "Frontline" by WGBH in Boston in association with the Blackwell Corporation, an independent production company. The executive producer for the Blackwell Corporation is Neal B. Freeman.

□ 1520

### DESTRUCTIVE ENGAGEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. MATSUI] is recognized for 5 minutes.

● Mr. MATSUI. Mr. Speaker, I rise to speak about the status of our current relations with the Republic of South Africa.

The Government of South Africa, since 1948, has constitutionally promoted racial oppression and white supremacy. Blacks, who make up the vast majority of the population, are denied the basic rights and freedoms that are guaranteed to whites. This includes freedom of speech, assembly and travel, access to a fair trial, and the right to choose where they live or work.

Almost every Member of Congress has shown the courage to speak out forcefully against the South African Government's official practice of apartheid. Clearly the time for words alone has passed and the time for action is upon us.

I am an original cosponsor of H.R. 1460, a bill which expresses the opposition of the United States to the system of apartheid in South Africa. More importantly, this bill requires that certain substantive economic policy steps be taken which will leave no doubt about our Nation's opposition to apartheid. H.R. 1460 will prohibit loans to the South African Government and will place restrictions on new investments in South Africa.

I encourage all of my colleagues to continue to speak out against apartheid and to join me in cosponsoring H.R. 1460.●

### PERSONAL EXPLANATION

(Mr. SWINDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWINDALL. Mr. Speaker, on rollcalls No. 52 and 53, upon which this body just voted, I was unavoidably delayed.

Mr. Speaker, had I been present I would have voted yea on both rollcalls.

### GRENADA DOCUMENTS: AN OVERVIEW AND SELECTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. I thank the Speaker.

Mr. Speaker, today I am going to take the second in a series of special orders which use the Grenada Documents: An Overview and Selection, as released by the Department of State in September 1984, as a framework for looking at Marxism, Leninism and its

relationship to Nicaragua and the upcoming vote on aid to the freedom fighters.

My purpose in doing this is to lay out the historical record that on the one occasion where we have had actual capture of Soviet documents, that we are aware of a great deal we have learned about the nature of communism and we are aware about what it is they intend, what they say in public, and what in fact they do in private.

To remind the Members of the House, when the United States liberated the Island of Grenada from the Communist dictatorship, we captured for the first time in history all of the documents that a Communist Party and a Communist government, for the first time ever we knew what their secret speeches were, what their secret diplomatic dispatches were, what the secret minutes of their meetings were, what they said in their diaries.

Out of that entire collection of some 35,000 pounds of material, the U.S. Government selected what was regarded by two experts, Michael Ledeen and Herbert Romerstein, to be the most significant documents, including among others a secret speech which I outlined in a special order yesterday called the "Line of March for the Party," presented by Comrade Maurice Bishop, chairman of the central committee, to a general meeting of the party on September 1, 1982.

In the speech by Bishop, he outlines the degree to which the Grenadian Communist Party was systematically a Marxist-Leninist party and was committed to an alliance with the Soviet Union.

Similarly, in yesterday's speech, I introduced a secret speech by Commandante Dayarda Arce, of the Nicaraguan Communists, a speech which was secretly tape recorded and released through the Barcelona newspaper, La Vanguardia.

In this speech Arce, himself, once again outlines the Nicaraguan Communists are in fact Communists. He says, in the opening paragraph, "We Communists." He says at the very end of the speech, "We must take advantage of the change offered by the elections to gain other positive benefits, the unity of the Marxists-Leninists of Nicaragua."

In Arce's speech by a Nicaraguan Communist he refers again and again to Marxism-Leninism and to the fact that the only reason they are pretending not to be Communists is in order to fool the Americans and to fool the American Government and American politicians.

In fact, he specifically says, and I quote: "Our strategic allies tell us not to declare ourselves as Marxist-Leninists, not to declare socialism." The reason I think this is important to

look at it is because the fact that a Nicaraguan Communist, in his secret speech, is directly parallel to the Grenadian Communists in his secret speech, that is, if you were to take the Maurice Bishop speech and lay it out side by side with Arce's speech in Nicaragua, you would discover that the formulas are almost the same, that the arguments are almost the same and that in each case they refer to advice they were given by other Communists. In both cases we happen to know the Communist advisers to Nicaragua and the Communist advisers to Grenada were the Cubans and the Soviet Russians.

I think this is important because in framing the debate next week and the week after, as we look at the question of whether or not to help the freedom fighters or whether to participate in allowing the Soviets to establish a military base in Central America, in allowing a Communist Marxist-Leninist dictatorship to establish itself more securely, one question Members of this House have to ask themselves is: What do we know about the nature of Marxism-Leninism and what do we know is probably going on in Nicaragua?

It is particularly important to look at the Grenadian documents, and I would say the average Member of the Congress and the average American citizen that this group of Grenada documents: an overview and selection, is available free from the State Department, is more valuable than 10 trips to Nicaragua, more valuable precisely because a Nicaraguan Communist Party will do precisely what in fact we see in this document the Grenadians doing.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I will be delighted to yield.

Mrs. SCHROEDER. I think one thing we also need to know, Mr. Speaker, is, what do we know about the Contras or the freedom fighters, as the gentleman from Georgia calls them.

I think one of the issues here is not so much who are the good guys and who are the bad guys; I think it is a little vague. My understanding is there are all sorts of data about the Contras that makes one wonder whether they truly are the freedom fighters at the same time. And I think that is where the gentleman might be fuzzing up the facts a little bit because that is obviously what the gentleman is asking us to do, but he is only presenting to us evidence on one side and not talking about the Contras.

Does the gentleman know, for example, that the Contras are going to adopt something like the Declaration of Independence or the Constitution or the Bill of Rights or whatever? If he does, that is entirely contra to what we have heard about the Contras.

Mr. GINGRICH. I think the gentlewoman raises a perfect question and I think it goes to the heart of the whole debate.

In fact, I would say to the gentlewoman, if this were 1944 and we were trying to make the decision whether or not to help the French throw the Nazis out of France, that we could produce a whole series of very accurate horror stories about the French Resistance; that there is no question—and I say this as a historian—there is no question but that partisan guerrillas in Europe did a number of things which, if they showed up on television or if they were witnessed by various church groups, would have been very effective arguments in America; "Why would you help the French Resistance overthrow the Nazis when the French Resistance has committed a number of atrocities?" There is no question they did.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield further?

Mr. GINGRICH. I would be delighted to yield.

Mrs. SCHROEDER. As a fellow historian, let me say that I think there is a good answer for why you would help the French Resistance, and that is that you understood the long tradition in France for a democracy, you understood what they were doing. And that tradition has not been prevalent in Nicaragua. The very tragic problem in Central America is, we have not seen people like Jefferson and Washington and so forth. I think if all of us, if we look at our history, where we have been burned in the United States over and over and over again, is the fact that we are constantly looking at revolutions like they were ours, like they were the wonderful revolutionary forefathers we had when they came to power; people like George Washington, who was offered the kingship and said no. We would not even offer it to politicians today. I think the gentleman is confusing oranges and apples. I am thinking about Contras in a country that does not have the democratic traditions that the French did, and I am saying we both know that all wars are terrible, and guerrilla movements are terrible. I am looking beyond that to the traditions in a particular country.

□ 1530

Mr. GINGRICH. Let me ask the gentlewoman two questions, then, because I think this is the heart of the issue:

In both Afghanistan and Cambodia, members of your party have proposed that we provide aid, covert aid to guerrillas who are fighting against the Soviet Union. Now in both those countries, it has not been conditional aid; in both those countries, in fact, there is no tradition of George Washing-

ton—in fact, Afghanistan was for a long time a monarchy.

I am not going to defend a group that frankly I do not know the details of, because I do not think that the choice here is between two evils. My argument is on two counts: First, that Marxism-Leninism is a systematic doctrine in alliance with the Soviet Union for the death of America; and that I can produce for the gentlewoman quote after quote after quote by Marxist-Leninists who say flatly, including an Arce speech, the Nicaraguan, who says flatly that "the war does not relate to Ronald Reagan, that the war will go on no matter what."

So we know, flatly, I would assert to the gentlewoman, that however bad the freedom fighters are, the freedom fighters are not committed to helping the Soviet Union, and the freedom fighters are not the sworn enemies of America.

Mrs. SCHROEDER. If the gentleman will yield further, then let me say if the basis of your argument is that the Marxist-Leninist/Communists are our enemies, which I would agree with, how does the gentleman then explain the administration's position?

Because we have more Communists on our side than the Russians do. We have the Chinese, and we are supposed to be their friends. That perplexes me. How do we do that—

Mr. GINGRICH. I think it is very clear.

Mrs. SCHROEDER. The administration goes to visit them? Somehow they are OK there, and somehow we have to overthrow them in Nicaragua, but we do not know what the people—

Mr. GINGRICH. If I may reclaim my time, because the gentlewoman is again raising an excellent question.

If you look at the history of Maoism in China, you will discover that beginning with Mao, there is a specific repudiation of Soviet-style communism beginning in the late 1950's. You will discover also that the Chinese have rather specifically said to us, "We want to be your ally."

They have given us a variety of listening bases; they have done a number of things that have been reported in the news by which they have said, "We are the strategic allies of the United States against the Soviet Union."

Now, I suspect that if, tomorrow morning, the Communists in Nicaragua were to call President Reagan and say, "We want to kick the Russians out this afternoon, we would like to invite the Americans in; we are going to kick the Cubans out this evening, we would like to replace them with Americans," I suspect we would have no major claim if their immediate security concerns are their right to run a government that happens to be somewhat different from America. It is not



our job to impose democracy everywhere; although I think it is our job to preach democracy.

I would suggest to the gentlewoman that if she would read the Grenada documents, she would discover very systematically that a true Marxist-Leninist party is committed—particularly one which is getting aid from the Soviet Union and consistently votes with the Soviet Union in the United Nations and in every way claims itself to be an ally of the Soviet Union, that a Marxist-Leninist party is by definition led by people who are the committed enemies of America.

Now this is not a question of whether you like or dislike somebody or whether, as Mary McGrory reports, "they smile or don't smile"; this is a question of whether in their own secret documents, they say—and let me quote Arce.

Arce said, in a secret speech—this is a Communist from Nicaragua—

The war will not end on November 4 or January 10, the war will continue with or without Reagan. It may take on other forms, but it will go on. What we are going to do is arm ourselves better in order to continue to develop and to cope with it.

Let me say to the gentlewoman, if a Nicaraguan Communist tells you that their war with America is going to go on even if Mondale had defeated Reagan, does not that give you a hint that maybe they are your enemies?

Mrs. SCHROEDER. The gentleman is misconstruing my position. I am not defending the Nicaraguan Government, and I think that is what the gentleman is trying to say the whole party is doing.

Mr. GINGRICH. Of course you are. Of course you are.

Mrs. SCHROEDER. What I am saying to the gentleman is what I hear you saying is probably the biggest threat in the hemisphere is really Cuba, because Cuba causes an awful lot of these—

Mr. GINGRICH. Yes, it is.

Mrs. SCHROEDER. They are the primary contractor, or the first contractor for the Soviet Union in the hemisphere.

So I am saying to the gentleman, then, why do you not go after the primary source, if that is really the basis of your argument?

The way I feel is, I do not like what I see going on in Nicaragua; I do not like the Nicaraguan Government, but I also have no answers about who the Contras are, and the way I have seen this Government get in trouble before is, suddenly make a problem our problem. I do not think we should make it our problem until we know the side that we are lining up with, and they do not look like a bunch of good guys to me.

Mr. GINGRICH. Wait a second. If the gentlewoman will let me continue for a second—because I think you are

really raising the heart of the dialog between the right and the left in this country today.

If, in fact, the Nicaraguan Communists say explicitly they are at war with America, then, as Churchill once said when he aligned himself with Stalin: If the devil would declare war on Hitler, he would say a few kind words about hell.

Then the first issue for the gentlewoman to answer is, if the Nicaraguan Communists are the active, dedicated enemies of America—and I can find you quote after quote in which they say flatly they are our enemies—and if they are systematically allied with Cuba and Russia, is not it our first duty to defeat our enemies?

Mrs. SCHROEDER. But, sir, what you are misconstruing once again is, you constantly want to align me with them—

Mr. GINGRICH. Well, you are.

Mrs. SCHROEDER. I am saying, I want you to tell me who the Contras are, because you are trying to say, "They're so bad, I don't even know who the Contras are, but you must align yourself."

Mr. GINGRICH. Right. No.

Mrs. SCHROEDER. Let me move one step further. If you remember Peter Sellers' great movie, "The Mouse That Roared," his theory was every country should say that, and if we could get the United States all juiced up, then that is how they would get aid coming back in.

Anybody, then, could stand up and say, "We're the enemy of the United States." Does that mean we run in there?

Just in your prior statement, you said we were not to run in and try and control every government in the world. We know that. We are only 4 percent of the population.

Mr. GINGRICH. But in this case, we do not notice—I will continue and yield in a second again, if you would like.

Mr. Speaker, let me say flatly that what they are saying—and I will be very precise about this—what they are saying is, and it is not Nicaragua in isolation. If there was no Soviet Union, this whole dialog would be different, because the Soviet Union is the systematic enemy of freedom, and it is the Soviet Union which is arming, training, and equipping the Nicaraguans at this stage through the Cubans.

Let me say further—

Mrs. SCHROEDER. What if we found out it was the Chinese?

Mr. GINGRICH. Wait a second. Well, let me say further, that this is what bothers me about the gentlewoman's position, and the whole position of our friends on the left: We have documents—this is not something made up. We have documents from Grenada where we know explicit-

ly—it is sitting right here—that they signed secret treaties with the Soviets to ship the arms to Havana, to have the Cubans repack them and send them to Grenada.

Now we know that. Let me continue for 1 second.

Mrs. SCHROEDER. But is not the gentleman asking us to do the same thing in re the Contras?

Mr. GINGRICH. Yes, Yes. I am saying to you, very clearly, that in defense of freedom, one is allowed to do things; you know, a policeman shoots a pistol and a criminal who shoots a pistol are doing the same thing, but they are morally very different.

Let me say to you, because I want to say it very precisely. If you vote to kill aid to the Contras, you are functionally helping the Nicaraguan Communists. Now you are not necessarily favoring them; I am not saying you are pro-Communist, but I am saying that there is no question that the functional effect of your vote is to increase the ability of the Nicaraguan Communists to dominate Central America.

Mrs. SCHROEDER. If the gentleman will yield further to me, if you do not mind, I just want to say that I think that the gentleman should be telling us who the Contras are; I think the gentleman should also be trying to tell us, what effect is this going to have on the whole hemisphere when we have other allies in the hemisphere who are protesting very loudly about this method.

I think that is very serious. I think that we should listen to that.

I also am not sure that I agree with the gentleman's analysis that if the Soviet Union does it, then we can do it, because it is OK.

Mr. GINGRICH. I did not say that.

Mrs. SCHROEDER. I grew up with a mother who said, our Government does not do things like that.

Mr. GINGRICH. Wait a second. I did not say that.

Mrs. SCHROEDER. We are at a higher level.

Mr. GINGRICH. I did not say that. In the first place, as the gentlewoman well knows, in Afghanistan, we do that, and we all know we do that, and it is explicit; that covert aid is legitimate; it is a diplomatic form of behaving which is accepted, which your own party has voted for in the case of Afghanistan.

So it is not a question of whether we do it or do not do it. The question is whether it is wise in Central America.

In the second place, I would say to the gentlewoman, that I am quite willing to define who the Contras are. The Contras are Nicaraguans who are committed to the defeat of the Soviet Union.

Mrs. SCHROEDER. And then what do they plan to do?

Mr. GINGRICH. I am willing, as a first order of debate, to say unequivocally that if my choice is between a Communist dictatorship in alliance with the Soviet Union, and people who are opposed to the Soviet Union building a 12,000-foot airfield for their bombers in our hemisphere, that I favor the non-Communists, period.

Now, if there are second-level problems with that; if we need to apply pressure to them as we have in El Salvador, if we need to do things to get them to straighten their act up, that is the second order; but I will tell you flatly the first order of business has to be to prevent the Soviet Union from establishing a colony in this hemisphere in addition to the colony it already has in Cuba.

□ 1540

Mrs. SCHROEDER. Why is not the gentleman concerned about Cuba? What is the gentleman's plan for that?

Mr. GINGRICH. I am very concerned. If the gentlewoman would like to propose a bill to go with the heart of Cuba, I would be very interested in cosponsoring with her.

Mrs. SCHROEDER. But it is the gentleman who is standing here saying that we should do everything we can to make sure that there is—

Mr. GINGRICH. Well, as a practical matter, if we cannot convince your side to even support anti-Communist steps in an area where it is still in doubt, it is impossible to sustain in this House any serious action against Cuba.

Mr. DELLUMS. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from California.

Mr. DELLUMS. I appreciate the gentleman's yielding.

First, with all due respect to the gentleman, I would like to say that I think that this is a pseudo intellectual discussion that has enormous and frightening implications in the real world. We might be able to talk about this in some classroom off in academia the way the gentleman makes his intellectual assertion. In the real world, we are talking about living and dying. I would like to make two comments in that respect.

First of all, I have respect for the gentleman's right to make any political statement the gentleman chooses to make. But I do not accord the gentleman the right to attempt to characterize the nature of the other person's argument.

If there is one thing you and I must agree upon, it is that the process itself must have integrity. And in the marketplace of ideas, every single individual elected to the Congress has a right to articulate that point of view without being characterized.

Mr. GINGRICH. I did not characterize it. I talked about the functional—

Mr. DELLUMS. This "left," "right," "Communist," "non-Communist," that is a game that gets played here.

Mr. GINGRICH. Well, come on. The gentleman from California has got to be kidding.

Mr. DELLUMS. Will the gentleman let me make my last comment?

Mr. GINGRICH. OK.

Mr. DELLUMS. Then I will back off.

Mr. GINGRICH. All right.

Mr. DELLUMS. First, my argument is, simply: Any one of us is not an individual when we take the floor of Congress. We are people who are articulating a political perspective that has a right to be heard, again as I said, in the marketplace of ideas. I am not willing to take my marbles and walk home because the body does not agree with my point of view. But we have a right to air it without being in any way characterized.

Mr. GINGRICH. Of course.

Mr. DELLUMS. My second point: I would like to go specifically to the question the gentleman raised with my colleague. The gentleman said: Is it not our responsibility or objective, whatever word the gentleman used, to defeat the enemy?

I would say in 1985, against the backdrop of nuclear armaments, billions of dollars in military buildup, no, it is not our responsibility to defeat the enemy. I think we have a larger responsibility, and that is to begin to communicate with people so we move beyond seeing them as enemies. The enemy in Nicaragua is not some political idea. If it were, then it would seem to me that we ought to defeat a political idea with a better political idea, not with a bigger gun, not with a bigger bomb. And that is where I do not support the notion of advancing more money to the Contras, because if you agree that you have a better idea than my colleague, then assert the idea. You do not do it through the barrel of a gun. You do it by alleviating poverty and hunger and disease and inadequate education, and all of the other problems that confront people in Central America.

Mr. GINGRICH. Well, let me say one thing to my distinguished friend: First of all, I do not characterize. If the term "left" or "right" offends the gentleman—

Mr. DELLUMS. It does not offend me. It is just the game that I am used to the gentleman playing.

Mr. GINGRICH. OK. I think it is an important way of distinguishing patterns of thought. But let me continue with my good friend, for a second.

Mr. DELLUMS. I think that I played beyond ideology.

Mr. GINGRICH. All right. The gentleman may, but let me challenge him to look at the documents, because they do not. The fact is, they call themselves Communists, they call themselves Marxist-Leninists. If you

look at the speech and you look at the documents, they say to you we are at war.

Let me give you two quotes for you to think about, because it does not do much good for you to believe in civil disobedience and them to believe in machineguns, because they will shoot you while you are civilly disobeying them.

Now, let me walk you through two quotes.

Mr. DELLUMS. I am not sure I understand your assertion.

Mr. GINGRICH. It is not an assertion. You know, Ghandi could only exist in an Anglo-Saxon government in which the Government of England was not willing to kill him. Ghandi in Germany under Adolf Hitler would have been sent to Auschwitz. He would have died in the gas chamber.

Mr. DELLUMS. Will the gentleman yield briefly to me?

Mr. GINGRICH. Let me finish. I will yield in just a minute.

Ghandi in the Soviet Union would have died in a gulag in Siberia, with no one ever hearing of him. Civil disobedience only works in a country which believes in law.

Mr. DELLUMS. But you are building your own straw man. I have not mentioned Ghandi. You are building your own straw man.

Mr. GINGRICH. No, no. I am bringing him up because when you talk about how you do not want to focus on guns, that is fine—let me finish my point here for a second.

Mr. DELLUMS. All right.

Mr. GINGRICH. Two quotes for you to think about: In Arce's speech, he says, as I quoted to the gentlewoman from Colorado, "The war will not end on November 4 or on January 10. The war will continue with or without Reagan. It may take on other forms, but it will go on."

This is a Nicaraguan Communist saying in their minds, in their decisions, they are at war with us.

Let me give you one other quote from the Grenada documents, from the Embassy of Grenada in Moscow, 10th of March, 1983. This is a report by the Grenadians themselves to their own government from the head of their army, who was meeting with the marshal of the Soviet Union, Ogarkov. Let me just read you this quote for you to think about. Marshal Ogarkov said:

Over two decades ago, there was only Cuba in Latin America. Today there are Nicaragua, Grenada, and a serious battle is going on in El Salvador.

It is clear from that quote that as far as the Soviet Union was concerned they are engaged in a war in the Western Hemisphere, that they won at that time in Cuba, they had won in Grenada until we liberated the island, they thought they had won it in Nicaragua.



Now, all I am saying to you is, you may not want to be at war. They do. You may not want to use code words. They call themselves Communists. I do not know why you are attacking me because they use ideological terms.

Mrs. SCHROEDER. Will the gentleman yield?

Mr. GINGRICH. Let me yield to the gentleman from Pennsylvania, and then I will come back.

Mr. WALKER. I thank the gentleman for yielding, because the other thing that we do not seem to get into this discussion, when we start talking about the fact that we want to reach out and we ought to be talking with nations like Nicaragua, is the fact that in fact we were a part of the overthrow of Somoza, that our Government, participated in the overthrow of Somoza and we were a part of installing the Sandinistas, in the first place.

Having done that, we also provided the Sandinista government with a large largess from the United States over a period of some months, in fact over a period of 12 to 18 months, providing the Sandinistas with more aid than we had given to Somoza in the previous 20 years.

Their reaction at that point was to use the money in building an army; they expanded the army substantially; they invited in the Russians and the Cubans during that same period; they began to coalesce Marxist power within the government at the same time we were trying to provide helpful aid in trying to have a dialog.

Their stance has been clear from the days when even we helped them. And in the meantime we are throwing out the democratic elements of the Sandinista movement that we are attempting to install what they had originally promised. And the gentlewoman from Colorado wants to know who the Contras are. Among the Contras are many of those democratic leaders who were previously Sandinistas, who would still like to reclaim the revolution that the Sandinistas originally promised to the people of Nicaragua. Those are among them. They are not all of them; they are among them.

We ought to at least be aware that in supporting the Contras we are doing the similar kinds of things that we were doing when we were opposing Somoza; we are trying to give to them some of the traditions of democracy that up until now they have not been able to attain. And one of the reasons why they have not been able to attain them is because they are being ruled by Marxist dictators at the present time.

Mr. DELLUMS. Will the gentleman yield for me to make one final assertion?

Mr. GINGRICH. I yield to the gentleman from California.

Mr. DELLUMS. Let me put it this way: Even if we accepted all of the

statements that you and my distinguished colleague from Pennsylvania made, even if we accepted that, I am prepared to even go beyond that. Even if we accept all of these paranoiac ideations, I am saying we must now, by virtue of the reality of where war can take us, to the abyss of thermonuclear disaster, I am saying we must be bold enough to think beyond the mundane pedestrian notions of war.

Mr. GINGRICH. I agree with you.

Mr. DELLUMS. And what better place than now should we begin the process of nonviolent, peaceful negotiations?

Mr. GINGRICH. But I say to the gentleman, if you know from the documents—

Mr. DELLUMS. Where else are we going to fight war? How many more Grenadas can there be?

Mr. GINGRICH. Let me pursue this, and then I will come back to the gentlewoman.

I say to the gentleman: At what point would you decide you had to resist? You did not want to resist in Grenada, where we now know for sure they really were Communists. You are telling us not to resist in Nicaragua.

Mr. DELLUMS. Do not put words in my mouth.

Mr. GINGRICH. Would you resist in Mexico?

Mr. DELLUMS. If the gentleman will yield, I resent that. What I said to the gentleman—

Mr. GINGRICH. Why?

Mr. DELLUMS. What I said to the gentleman was this—

Mr. GINGRICH. I am asking you, why do you resent it?

Mr. DELLUMS. Because you have no right to characterize my words.

Mr. GINGRICH. I read your words.

Mr. DELLUMS. I am articulate enough to make my own statement.

Mr. GINGRICH. That is right.

Mr. DELLUMS. What I am saying to you—

Mr. GINGRICH. Were in favor of eliminating the Communist Government of Grenada?

Mr. DELLUMS. What I am in favor of is stopping the Contras.

Mr. GINGRICH. Answer the question.

Mr. DELLUMS. What I am in favor of is the United States, Nicaragua, and other Central American governments sitting down to peacefully and not violently negotiating the circumstances around which they will live, short of the cruelty of war.

Mr. GINGRICH. Listen, I would love to do that.

Mr. DELLUMS. That is what I am saying. We are a powerful Nation.

Mr. GINGRICH. No; we are not.

Mr. DELLUMS. We should be in the forefront of leading for peace, not of projecting war in the world. That is what I am trying to suggest.

Mr. GINGRICH. My point to the gentleman, if I might, is that I am with you.

Mr. DELLUMS. I am sorry, I feel passionately about these things.

Mr. GINGRICH. I understand. I feel as passionately as you do.

I would love to be able to sit down with the Nicaraguan Communists. And what I am trying to report to the gentleman is—and I can cite you specific passages from both the Nicaraguan Communist speech and the Grenadian Communist speech, where they say they are lying to you. They say flatly in the documents we captured, I say to the gentleman from California, they explain how they are lying to you, they are explaining how they are duping you; they are explaining how you fall for it all the time—"you" collectively, not "you" personally. The Americans. They say, quite clearly—let me just give you two examples for you to think about.

Mrs. SCHROEDER. Before you do that, will the gentleman yield?

Mr. GINGRICH. No, not until I finish this.

□ 1550

Mr. DELLUMS. Let us stay on the ground you first asserted and that we are trying to deal with.

Mr. GINGRICH. I am trying to respond to your intervention.

Mr. DELLUMS. You can talk with me as a human being. We do not need the book. You and I can talk about it.

Mr. GINGRICH. No, we cannot talk, and that is exactly my point.

Mr. DELLUMS. Let us talk; let us debate for real.

The SPEAKER pro tempore. The Chair would state to the gentleman from California that the gentleman from Georgia controls the time.

Mr. GINGRICH. I thank the Chair.

My point to my good friend from California is precisely that the book matters because the book has facts in it which destroy the gentleman from California's argument. I wish, like the gentleman from California—

Mr. DELLUMS. Destroys what argument?

Mr. GINGRICH. The book says, unequivocally, the Grenadian documents that we captured say unequivocally, that they were always Communists; they were Communists before they took power; they established a dictatorship from the very first day; they deliberately lied to the Americans, and they did it because they were confident.

He says, and let me give you two quotes.

Mr. DELLUMS. So what are we going to do, go to war with all the Communists and bomb them to stone age? What are you talking about?

Mr. GINGRICH. This is from Maurice Bishop's speech to the Communist Party of Grenada:

It is very significant, comrades, that from the start, from the very first second of the Grenada Revolution, let us say, 4:30 a.m. on March 13, 1979, from the very first second of the Grenada Revolution, what was established was a dictatorship.

He then went on to say, and I cite it. Let me say before I quote, he is saying the reason they included people and established a front that was phony:

This was done deliberately so that imperialism will not get too excited and would say, "Well, they have some nice fellows in that thing; everything all right, and as a result, would not think about sending in troops."

Let me just say that I would suggest that the exact arguments of both my distinguished colleague from Colorado and my distinguished colleague from California fit precisely the reason that the Communists in Grenada were told, and that we have evidence here from a Communist in Nicaragua that they were advised by the Cubans and the Soviets to do exactly the same thing, because they say flatly in here, and I think the quote, frankly, is devastating. The say flatly in here that: "Our strategic allies tell us not to declare ourselves Marxists-Leninists, not to declare Socialism, and the reason is because they are convinced that there are always people in America willing to believe the next story."

Now, in fact from the secret documents in both cases, in Grenada and Nicaragua, what I am saying to my good friend from California, and I say it with great sadness, I wish the world did not exist like this. I wish there were no Soviets; I wish there were no evil people. I wish there was no KGB. But the fact is, we have absolute evidence that in Nicaragua today there is a Soviet alliance determined to destroy the United States of America, and that to say, well, why do we not talk to them, is, I think, incredibly naive.

I yield to the gentlewoman.

Mrs. SCHROEDER. But I think the gentleman, once again, is mischaracterizing what we are trying to say. The gentleman is trying to put words in our mouths, and is trying to look like we are naive, innocent, little pussycats that have no idea what is going on and you are going to bring this quote and show it to us.

I personally am not of any, any misconception that the Sandinistas are doing a terrific job. I want you to know that, so you do not need to read the quotes to me, I understand that.

Mr. GINGRICH. If I can reclaim my time.

Mrs. SCHROEDER. Let me move on.

Mr. GINGRICH. I want to reclaim my time to ask you something. You just made an assertion—

Mrs. SCHROEDER. The gentleman wants to characterize my arguments—

Mr. GINGRICH. No, I want to ask you a question. The issue is not are the Sandinista Communists doing a good job. The issue is are they allies of the Soviet Union, and is their goal the defeat of America?

How would you characterize that?

Mrs. SCHROEDER. I have absolutely no question that they have become allies of the Soviet Union. Whether they are going to defeat the United States, a little, tiny country—

Mr. GINGRICH. As allies of the Soviet Union.

Mrs. SCHROEDER. It becomes a little silly.

Mr. GINGRICH. Why?

Mrs. SCHROEDER. I do not think that we can say that they are planning to invade; I do not think that is happening. But let me move forward. Our allies in that region that are Spanish-speaking, that share their historical and linguistic background are all saying that we should not be backing the Contras.

Now, are all of our allies dupes?

Mr. GINGRICH. That is simply not true. If I may reclaim my time, I want to say to the gentlewoman—

Mrs. SCHROEDER. The Contadora process has been going on—

Mr. GINGRICH. I say to the gentlewoman the Governments of El Salvador, Honduras, and Costa Rica, which are the closest three countries, all favor our aid to the freedom fighters. The President of Costa Rica was up here yesterday, a country that has no army, asking for help for the freedom fighters. Now, will the gentlewoman retract her statement? You were factually wrong.

Mrs. SCHROEDER. I am talking about the Contadora process, which are our largest allies in the region.

Mr. GINGRICH. Will you retract your statement? You are factually wrong. Factually, that is not what you said is not correct.

Mrs. SCHROEDER. I am saying our major allies in the region engaged in the Contadora process do not think backing the Contras is correct, as far as I am aware.

Mr. GINGRICH. That is not what you said. Will you concede that the three countries closest to Nicaragua are all supporting—

Mrs. SCHROEDER. No, I have not seen statements from them.

Mr. GINGRICH. You have not seen statements from Honduras, El Salvador? If I get the gentlewoman statements from the three governments—

Mrs. SCHROEDER. Look, first of all, it makes no difference. The gentleman just enjoys—

Mr. GINGRICH. Of course it does.

Mrs. SCHROEDER. Let me tell what I think you are into: You are into what America is into. You know, we all have got to prove we are not wimps.

Mr. GINGRICH. I am not trying to prove that.

Mrs. SCHROEDER. So the main is to go down and show how macho we are. What I am trying to say is that there is a rule of thinking that there is a way to deal with Nicaragua by not making them such a big deal. You are making them a big deal.

Mr. GINGRICH. I say to the gentlewoman I wish there was some plausible reason to believe there was hope for what you just said. I have no interest in being macho or being wimp. I do know that since you have conceded that Nicaragua is an ally of the Soviet Union, that the Nicaraguan Communist Government, in alliance with the Soviet Union, is a threat to America.

The minute you agree that they are allies of the Soviet Union, then that 12,000-foot runway is a totally different issue because now you have Backfire bombers potentially. Now you have a totally different capacity for infiltration.

Mrs. SCHROEDER. If the gentleman will yield, that is ridiculous.

Mr. GINGRICH. Why?

Mrs. SCHROEDER. The gentleman knows that the Soviet Union is the superpower and not Nicaragua. The gentleman is suddenly saying that the Soviet Union is suddenly the equivalent of Nicaragua?

Mr. GINGRICH. Wait. No. See, this is why the lady might think some people come to the conclusion she is naive. Let me talk through it again, since you raised that issue yourself.

If Nicaragua is the Soviet Union's ally, and you have said it is, and if the Soviet Union is committed to the destruction of the United States, and every piece of evidence we have is that they are—

Mrs. SCHROEDER. And the Soviet Union builds one runway in Nicaragua, I should go buy a night light and fund the Contras? Come on.

Mr. GINGRICH. I do not know why you are exaggerating. What I said was, at that point, that runway, in addition to Cuba, becomes an increased threat to America. That it is the Soviet Union that transfers the Nicaragua issue into an issue of concern to Americans.

Mrs. SCHROEDER. Let me come back and say why the Soviet Union, I think, has been so quick to come in there, OK? If we want to deal with Nicaragua, the best way to do it, I think, is lower our voices and try to do it quietly and try to do it through the Contadora process.

Mr. GINGRICH. Why?

Mrs. SCHROEDER. Because I think all the countries in this hemisphere feel that they are shoved in a bathtub with an elephant; that is, the United States.

The way you get to be really popular and probably stay in power for ever and ever is to find some way to have



the President of the United States and the entire U.S. Government single you out. Then you become a big deal because you have got the elephant's attention.

It seems to me that if the United States wants to be as constructive as they can in trying to figure out how to bring Nicaragua around to a true democracy as we want it, then we should lower our voices; we should work with the neighbors; we should do what we can to try and change the situation so it is not fertile ground for the Communists to till. That is the way—

Mr. GINGRICH. I know that it bothers some of my colleagues if I actually use books and make reference to documents, but if I could cite the Embassy of Grenada in a secret dispatch from the Soviet Union. This is from Moscow, July 11, 1983.

By itself, Grenada's distance from the U.S.S.R. and its small size would mean that we would figure in a very minute way in the U.S.S.R.'s global relationship. Our revolution has to be viewed as a world-wide process with its original roots in the great October Revolution. For Grenada to assume a position of increasingly greater importance, we have to be seen as influencing at least regional events. We have to establish ourselves as the authority on events in at least the English-speaking Caribbean and be the sponsor of revolutionary activities.

Now, I would say to the gentlewoman: I do not know what more evidence you can ask for. Here is the Grenadians who are getting a small amount of money from the Russians, saying they get the money in return for undermining other countries. They happen to mention as their job taking out Surinam and Belize.

I am suggesting to you that if we had the same document in Nicaragua, we would discover that the Nicaraguan Communists have been told by the Soviets their assignment is Central America. All of the historical evidence is on the side of the analysis that I am describing. You cannot find a single piece of historical evidence on your side.

Mrs. SCHROEDER. The historical evidence on my side is that when there is not fertile ground for the Communists to till, they have nothing to sell.

Second, when we have alliances with our allies, it is the same thing. So that they have us fight our enemies. I mean, alliances are built on that.

□ 1600

Mr. GINGRICH. If I may reclaim my time, I would just say to the gentlewoman that there is no way that that analysis stands up historically. They did not say here we are only supposed to go and sell revolution in countries that want it; they said our assignment is "X." They said our assignment is given to us by the Soviet Union, and if you read this book you discover they are trained by the Cubans.

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from California.

Mr. HUNTER. I thank the gentleman for yielding.

Mr. Speaker, in respect to the gentlewoman's last statement where she said basically that Marxism only flourishes where there is fertile ground and we should not produce the fertile ground, I was reflecting on Poland and Afghanistan and wondering how unfertile the ground has to get before there is a chance of having real change there.

Mrs. SCHROEDER. Could I answer the gentleman?

Mr. HUNTER. Let me finish, and then I think the gentlewoman will have plenty of time here.

I remember when the gentleman from California [Mr. DELLUMS] brought Maurice Bishop before the House Armed Services Committee and we had an informal meeting with Mr. Bishop. I think every member of the committee thanked the gentleman from California for allowing us to talk with Maurice Bishop, to have a dialog with him, and he was, No. 1, a very articulate gentleman, very intelligent. I think he was educated in Great Britain.

I reflected on Maurice Bishop the night that I heard that Maurice Bishop had been machinegunned by his fellow Marxists, and I reflected on the gentleman's statement about the need to produce a marketplace of ideas and the way you change governments is by having a better idea. It occurred to me that Mr. Coard and General Austin, who essentially effected the assassination of Mr. Bishop, along with many very innocent townspeople, were not articulate; they did not have better ideas. What they had were essentially automatic weapons and they had Mr. Bishop and his friend up against a stone wall and they machinegunned them.

In reflecting on that, it would appear to me that the gentleman should at least agree that what we did in Grenada was the right thing and that, in fact, they had a system that could not possibly be condoned by the United States, and that the very ideas that the gentleman is a champion of, the ideas of free debate, of having the best idea win, not necessarily the best rifle or the best army or the best military.

All these ideas were defeated by simple brutal force in Grenada, and I would ask if the gentleman could yield to the gentleman from California in basically answering that question? Were we not right in Grenada in doing what we did?

Mr. GINGRICH. I yield to the gentleman from California.

Mr. DELLUMS. I thank my colleague for yielding.

I think that the point you make of Maurice Bishop, who was an articulate person who came here to talk, was shot down by the use of brutal force, makes my point. At some point we have to, as human beings on this planet, in this country, in this body, get beyond the barbaric notions of the use of violence and war as a way of solving our differences.

What I have said to the gentleman in the well, and what I say to you is, even if we accept your fears, I am saying, do we solve those problems by picking up the gun and beginning to go down that road toward greater violence that ultimately will end up with the exchange of thermonuclear weapons blowing us all off the planet, or do we find some more rational and intelligent way to address our differences and that is what you have not addressed.

That is the only point I make. Even if I accept your assumption, tell me why sitting down to negotiate is not superior to continuing to finance Contras and engaging in war?

Mr. GINGRICH. The question I would pose to the gentleman—

Mr. DELLUMS. You just pointed out that violence is insane. That is what I am trying to say.

Mr. GINGRICH. No, violence is not insane. Would you say, then, the American invasion of France was insane; that the defeat of Adolf Hitler was insane?

Mr. DELLUMS. We are not talking about war in World War II terms. We are talking about a generation of global strategic nuclear war capability.

Mr. GINGRICH. Nobody on our side is suggesting anything—

Mr. DELLUMS. We are not talking about M-1 rifles. We are talking about MX missiles and Trident submarines, cruise missiles, Pershing missiles, Trident missiles, B-1 bombers. That is what we are talking about.

Mr. GINGRICH. That is precisely where I do not understand the gentleman's position. Not a single dollar of the aid to the freedom fighters will go to nuclear weapons, and it will go precisely to rifles. Not a single dollar of the aid to the freedom fighters—

Mr. DELLUMS. Why is it necessary to fight it out? Why can we not sit down around the table to negotiate? Answer that question.

Mr. GINGRICH. I am trying to answer the gentleman. Let me tell you why.

Mr. DELLUMS. Why is killing people more superior than talking with them, even if you have a difference of opinion like you and I. We are not shooting guns at each other. We are firing words and ideas.

Mr. GINGRICH. They are shooting at us, if I might reclaim my time. The reason I keep bringing out the Grenada Documents, and the book which is

available to every citizen to look at, is because when you read the Grenada Documents you discover, for example, when did your friend, our friend, a decent man, an articulate man who came up here and said, "Gosh, I would really like to talk to you," when did Mr. Bishop become a Communist? When did he decide he was going to set up a Marxist-Leninist party? Not because of Ronald Reagan or Jimmy Carter or Gerald Ford.

He said in April 1974: "That is when we decided in theory and in principle that we should build a Leninist party." Intellectually, that means—

Mr. DELLUMS. You stepped away from my question again. You are very smooth at that.

Mr. GINGRICH. I am not stepping away.

Mr. DELLUMS. Tell me why it is more superior to wage war than it is to sit down to negotiate? Our credibility is on the line.

Mr. GINGRICH. I will tell you: Because Marxist-Leninists believe deeply, as the Nicaraguan Communist said in this secret speech, they believe deeply that they are at war with you, and while you are sitting and negotiating with them, they are systematically building their airfield, their secret police, their army, they are setting up guerrilla movements in other countries, and they are glad you are talking so they can fight.

Mr. DELLUMS. Do you think we should be negotiating with the Soviet Union?

Mr. HUNTER. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I would be glad to yield to the gentleman from California.

Mr. HUNTER. I thank the gentleman for yielding.

Mr. Speaker, my point was, and I think this answers the gentleman's point head on, was that the only time that we had free elections, when an intellectual can stand up and can talk on the soap box on the election trail is today, after the Americans have gone in. I do not think anybody on this earth would claim that under General Coard and Mr. Austin you could have any type of a democracy, so the point was you had a very brutal government that assassinated a gentleman that the gentleman from California knew very well, who was articulate, who was intelligent, and he completely stifled any intellectual debate. So you could have waited a thousand years, in my estimation, and if you had a succession of Coards and Austins ruling Grenada, you would have never had that free and fair debate, that exchange of ideas that you speak about. It was only when armed Americans landed on the island and set up a system in which people could get up on that soap box and run for office, I talked to some of the people who were in exile who were

going back down to run as politicians. They did not have much chance, but they said, "We have a little chance and now we can go back and express our ideas and we may have a chance of winning."

What is what the gentleman likes to promote. That is what I like to promote. But that was not possible until American Marines and Rangers landed on October 25 in Grenada.

Let me make one last point. The Contadoras were mentioned by the gentlewoman from Colorado. Why can we not listen to the Contadoras, she asked? Why can they not have an effect on the situation?

I think we all have to agree that since Fidel Castro came to power, the Contadoras are afraid to death of Cuba. I have been in Mexico City. I have looked at a great many of the statements made by Mexico City media, a great many statements made by their official government. Their unofficial statements to us that are made in some confidentiality are much, much different, I would say to the gentleman, and to the gentlewoman from Colorado if she were here, than the statements that appear in their official press releases.

You have a country like Colombia that just had one of its cabinet assassinated by the drug trade in Colombia. That country is barely able to control its own revolution right now. It is not able to stifle its own drug trade that is sending literally tons of cocaine and other addictive narcotics into America's youth. They cannot win that war. How can they possibly have a real effect on Nicaragua or on Cuba, especially when they are very, very much intimidated by those countries?

I would invite the gentleman from California to engage in some off-the-record discussions with Mexico, because Mexico, in my estimation, is very, very worried about instability brought on by Nicaragua. They are treading on eggs right now. We cannot expect any support from them, I think rhetorically, in the newspaper, in the official media or coming from their administration. They are scared to death.

So for us to take this group of countries that are absolutely scared to death of Cuba and of Nicaragua and say we are going to let them negotiate something out is just not being realistic.

Mr. DELLUMS. Mr. Speaker, will the gentleman yield briefly, and I will just make one last brief remark?

Mr. GINGRICH. Let me just yield to the gentleman from Pennsylvania [Mr. WALKER] and then I will come back to you.

Mr. WALKER. I thank the gentleman for yielding.

Mr. Speaker, I think the gentleman from California raises a good point with regard to violence. I think any-

body who believes fundamentally in democratic ideals says that we are far better off talking within the political process. The fact is, though, that our adversaries are tyrants who believe that the effective use of violence works very well.

□ 1610

So they are very willing to use violence, sometimes very narrowly, sometimes on a broad scale, in order to send us the kind of messages the gentleman from California [Mr. HUNTER] just referred to. The nations of Central America are scared to death of Cuba because they know Cuba is willing to use violence. The neighbors of the Soviet Union are scared to death of the Soviet Union because they know that the Soviet Union is willing to use violence.

It would be fine to say that we can always talk those things out. In fact, the President has proposed in Nicaragua that we try a process of talking for 60 days, and the Nicaraguans themselves have rejected that as a concept.

It seems to me we have got to understand that there are tyrants in this world who are perfectly willing to use violence to their own advantage.

Now, the question is, when you put the umbrella of thermonuclear war over that, how often are you willing to back away from their violence under the theory that it could lead to thermonuclear war and thereby give up a little bit of your alliance or a little bit of your freedom? How long can we back away because the threat posed by them is that someday they might use those horrible weapons? The fact is that that is exactly what they are saying to the world at the present time, that "if you don't do what we say and if you don't negotiate on our terms, the threat is that the world could go to nuclear holocaust."

I think for people who love freedom that means they can chip away at Afghanistan, Cambodia, Vietnam, Nicaragua, and Grenada, and they can continue to chip away at freedom across the world in order to advance Communist tyranny. That is what the gentleman from Georgia is talking about, and it seems to me that violence is not something we have to address. Violence in our context has to be used only in defense, but it seems to me that that defense is an extremely important ingredient toward preserving freedom.

Mr. GINGRICH. Mr. Speaker, let me make one point, and then I will yield to the gentleman from California. I want to make this point while he is on the floor, and I will be glad to come back another day if he would answer it later after he thinks about it.



I do not know if you have read the Line of March speech by Maurice Bishop, but in that speech he says three things that, if I were in your position, would bother me a very great deal, given your moral position, which I think is a very sincere one. He says, first, that they had always been, since 1974, Marxist-Leninists, and that means a very specific set of ideas which the Soviets train people in which involves dictatorship.

He said, second, that he was an absolute dictator who locked people up whenever he wanted to without rule of law. And he said that very specifically.

And he said, third, that they systematically lied to America.

Now, it would seem to me that those of our friends in this House who honestly believed in Maurice Bishop and who honestly tried to explain how we could talk to the Grenadians had to answer the question: If you were fundamentally wrong about the nature of their party, the nature of their dictatorship, and the legitimacy of their behavior, why should we think you are right about Nicaragua?

Mr. DELLUMS. May I respond to that? Will the gentleman yield?

Mr. GINGRICH. I am glad to yield to the gentleman from California.

Mr. DELLUMS. Mr. Speaker, I want to respond to some other points first. If you want to set that particular theme up, then you and I can have at it for an hour on that theme alone.

Mr. GINGRICH. All right.

Mr. DELLUMS. Let me make a couple of quick comments.

First of all, it is not a moral position, as if this is some bleeding heart position. I assert my position because I believe that we have now achieved a level of danger in this world that peace is an imperative, not an alternative. I think the world is becoming a very dangerous place.

I think we have to stop fighting proxy wars in Third World countries. My colleague said, "I hate to see places where there are Communists and the KGB." I hate to see poverty, hunger, disease, starvation, and inadequate education.

Mr. GINGRICH. Wait. Wait.

Mr. DELLUMS. These are problems that grip the world that I would like to resolve. These are my priorities.

Mr. GINGRICH. Wait a second. Let me reclaim my time.

Mr. DELLUMS. Let me finish.

Mr. GINGRICH. No, I want you to tell me something because you have made an assertion that is very important here.

If you do not stop the Soviet Union in Afghanistan, if you do not stop the Soviets in Nicaragua, is there any country where you would fight them?

Mr. DELLUMS. What I am saying to you is that I think we have got to sit down around the table and negotiate our differences.

Mr. GINGRICH. No, but they are not going to negotiate with you. If they think you will give in everywhere—

Mr. DELLUMS. Let me make this assertion.

Mr. GINGRICH. Where would you fight them?

Mr. DELLUMS. Let me just finish this, and then I will back all the way off to the moral initiative.

Mr. GINGRICH. Where would you stop them? Where would you fight them?

Mr. DELLUMS. If you push this point to its logical extreme, what you are advocating is war, and I do not want to kill our children and our children's children because you want to play some macho game.

Mr. GINGRICH. Wait a second. I do not want to play some macho game.

Mr. DELLUMS. Let us sit down around the table and negotiate in peace.

Mr. GINGRICH. Where would you stop them? If you would not stop them in Nicaragua and you would not stop them—

Mr. DELLUMS. Let us sit down at the table in Geneva where they are sitting at the table now and let us start backing away from total ignorance and total annihilation. That is what we need to do.

Mr. GINGRICH. Wait. But they are invading Afghanistan.

Mr. DELLUMS. Let us use our intellectual capability and the power of our politics, not the power of our bombs.

Mr. GINGRICH. Let me explain it to you. They are invading Afghanistan, their puppet is invading Cambodia, they have troops in Nicaragua, and we have absolute proof here that they are systematically setting up guerrilla wars. So you are negotiating in Europe. You sit at a nice table while they conquer the world.

Where would you stop them? If you would not stop them in Nicaragua, would you stop them in Guatemala? Honduras? Mexico? Where are you going to stop them?

Mr. DELLUMS. First of all, from a historical perspective, where we have said to the Soviet Union, "This is our sphere of influence. Don't move in that," they meticulously stayed away, where they said our sphere of influence—

Mr. GINGRICH. Would you accept a resolution declaring the Monroe Doctrine intact, that our sphere of influence includes the Western Hemisphere?

Mr. DELLUMS. I think when we start playing spheres-of-influence games, that is when we divide the world up into a whole lot of—

Mr. GINGRICH. But you mentioned spheres of influence. Wait. You are the one who mentioned it. You cannot have it both ways.

Mr. DELLUMS. That is when we divide the world up into a whole lot of

chauvinistic, paternalistic, parochial divisions that have led up to the cold-war mentality that has dominated our foreign policy for over 40 years, and the cold war is a simplistic, naive, dangerous way to view the world.

Mr. GINGRICH. Wait.

Mr. DELLUMS. That is how I am challenging you.

Mr. GINGRICH. I say to the gentleman from California, since you are the one who has raised the term, "sphere of influence," if you would not stop the Soviets in Afghanistan and you would not stop them in Nicaragua, tell me a country you would try to stop them in.

Mr. DELLUMS. What I am saying to you again, I repeat one more time, I would like to stop where both countries are now, in Geneva, and begin the process of trying to normalize our relations.

Mr. GINGRICH. Wait a second.

Mr. DELLUMS. We cannot continue this intensity and this stress in the world. Otherwise we will blow up the world. I am not macho enough to want to blow up the world. I do not play that game.

Mr. GINGRICH. Wait a second. Let me reclaim my time.

Mr. DELLUMS. I am an advocate of peace, and I would challenge you to the last breath I have that war is insane, whether it is in Nicaragua or whether it is anywhere else in the world.

Mr. GINGRICH. Mr. Speaker, let me reclaim my time.

Mr. DELLUMS. I want the gentleman to understand that. We should have learned something in Vietnam. Fighting proxy wars is not in our best interest.

Mr. GINGRICH. Wait a second. There is a Nicaraguan speech in which a Nicaraguan Communist says—and I want to repeat the quote because I want the gentleman's comment; this is a Nicaraguan Communist, this is not one of us, this is a Nicaraguan Communist—"The war will not end on November 4 or on January 10. The war will continue with or without Reagan. It may take on other forms, but it will go on. What we are going to do is arm ourselves better in order to continue to develop it and to cope with it."

Now, if you know that the Soviets are pouring weapons into Nicaragua and you know the Nicaraguan Communists say they are at war with us and you know that every evidence we have is that they are being trained by the Cubans and the Soviets to eventually take over all of Central America and you know from the Grenada documents that the Grenadian Communists in their own secret dispatches talk specifically about being assigned by the Soviets to take over two countries, I would say to the gentleman—and I am all for talking in Geneva, but

I am also for stopping the Soviet Union in Central America while we talk in Geneva—where would you attempt to stop the Soviet Union if they are determined to launch this kind of secret war?

Mr. DELLUMS. That is absurd.

Mr. GINGRICH. Wait. Why is it absurd?

Mr. DELLUMS. Let me ask you this: How can we have as a nation credibility to say to nations in the Middle East, where the problems are magnified by religion, culture, history, et cetera, "Go to the table and negotiate" when we are financing Contras here and are not willing to go to the table? Either we believe in that process or we do not.

Let us say to the world that we will get down around the table and negotiate the circumstances around which we will live with each other.

Mr. GINGRICH. What if they will not negotiate?

Mr. DELLUMS. How can we say that to the Middle East if we cannot say it to ourselves?

Mr. GINGRICH. Does the gentleman understand that in both the Nicaraguan and Cuban cases we have documents in which they say in effect that it is their job to lie to us while winning the war? Do you understand that this is exactly like Adolf Hitler?

What they are saying to you is that "We will be glad to negotiate with you as long as we get to win all the wars while we are negotiating."

How many countries are you willing to give up?

Mr. DELLUMS. Let me take that out a little further. Are you saying we should not negotiate at this time?

Mr. GINGRICH. No, I say we should do both. We should defend the freedom fighters and we should negotiate, but we have to teach the Soviet Union—

Mr. DELLUMS. Would you negotiate with me if I was financing this guy to shoot your brains out?

Mr. GINGRICH. Sure, of course I would if I thought the danger was nuclear war. We negotiated with the Soviets while we were in Vietnam.

Mr. DELLUMS. How can you do both?

Mr. GINGRICH. Because we did it.

Mr. DELLUMS. How can you go about negotiating with people while you—

Mr. GINGRICH. Wait a second. All of our major treaties with the Soviet Union in the 1970's were signed when we were fighting in Southeast Asia. In fact, it is precisely when you tell the Soviets that they cannot run over you, it is precisely when you tell them you are not going to let them win their cheap wars that they are willing to negotiate. The Russians are much more—

Mr. DELLUMS. Will you drop nuclear bombs on them while we are in Geneva and bring them to the table?

Mr. GINGRICH. Do you deny what I just said, that in fact all the major treaties in the 1970's were signed while the Americans were in Southeast Asia? That is a historical fact.

Mr. DELLUMS. What this gentleman cannot get over is the amount of human suffering and the amount of human misery and death that took place at that time. I cannot be cavalier enough to say, "Well, let's finance the Contras and kill off the people in the countryside, and eventually we will have peace and drive them to the table."

Mr. GINGRICH. Wait.

Mr. DELLUMS. You are killing human beings, taking human lives, and the American people ought to be beyond that.

Mr. GINGRICH. Wait a second. In other words, are you saying it was Eisenhower and Roosevelt who were at fault because Hitler ran the gas camps?

Mr. DELLUMS. Go back through history and take me up to today.

Mr. GINGRICH. All right. That is what I tried to do.

Mr. DELLUMS. Let us talk about now.

Mr. GINGRICH. This document proves conclusively that in your lifetime today, in this hemisphere, the Communists were setting up a dictatorship that was allied against the United States and that was committed to the destruction of America.

□ 1620

Now, this document proves that. It proves it beyond any reasonable doubt.

Mr. DELLUMS. Mr. Speaker, if the gentleman will yield, what I am saying is that for a while there are going to be people in the world who disagree with us philosophically.

Mr. GINGRICH. They are trying to kill you.

Mr. DELLUMS. But what I am saying is, is war the answer? The gentleman has not answered me. If the gentleman is going to be honest and say war is the answer, then we can debate.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield.

Mr. WALKER. The question can be rephrased. Is peace at any price the answer? Is peace at any price the answer?

Mr. DELLUMS. OK. What is the price in Central America? Let us discuss that.

Mr. WALKER. The question is, it seems to me, whether or not you are going to allow the concept of violence to govern all your actions in a way that peace at any price becomes your goal.

I would say that that has the potential where you know that there are people documented who are willing to

use violence against you, that that ultimately ends up destroying freedom.

Now, that is a key question in all this, whether or not you allow those people to overcome you.

Mr. DELLUMS. When did the people of Nicaragua violate us? Did they drop a bomb on us? What did they do? Did Nicaragua invade us? Unless I was on a break somewhere, I did not get the word.

The SPEAKER pro tempore. The gentleman from Georgia controls the time.

Mr. GINGRICH. Mr. Speaker, I will be glad to yield to the gentleman from Pennsylvania and then I will come back.

Let me say before I yield—I am about to run out of time, but I am told that the gentleman from Minnesota [Mr. WEBER] has some time. We would be glad to continue this dialog. We do not mean to cut anyone off.

I will yield to the gentleman from Pennsylvania, then we will go back.

Mr. WALKER. Well, the point I am making, the gentleman from Georgia has documented here today that our adversaries are willing to use violence. They see themselves as arming for war.

The question is if you take what I hear the gentleman from California saying to us, it then becomes a question of whether or not you stand up against that question, and the gentleman is saying no, that violence is so bad that what we have to do is negotiate, even though they are fighting while they negotiate. They are fighting in Southeast Asia. They are fighting in Afghanistan. They are fighting in Central America.

The SPEAKER pro tempore. All time allowed the gentleman from Georgia has expired.

#### A REVIEW OF THE EVENTS IN INDIANA'S EIGHTH DISTRICT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. STRANG] is recognized for 30 minutes.

#### GENERAL LEAVE

Mr. STRANG. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks on the subject of this special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. STRANG. Mr. Speaker, I rise today sadly to discuss again the tragedy in Indiana's Eighth Congressional District. By way of review, Mr. Speaker, I would like to summarize some events that happened on November 6 and since then in the Eighth District of Indiana to try to show, Mr. Speaker, and to show my colleagues in the



House that an enormous injury and wrong has been done and that an extremely dangerous precedent has been set by this body.

Basically, Mr. Speaker, on election night, November 6, 1984, press results in the race for Congress in Indiana's Eighth District indicated that Republican Richard McIntyre was leading Democrat Frank McCloskey by more than 100 votes. Then tabulation errors were discovered in two counties during the 10-day period provided by Indiana law for the correction of errors.

On the day after the election, November 7, the county clerk retabulated the results in Vanderburgh County before providing certified totals to the Indiana secretary of state. The retabulation added almost 200 votes to Mr. McCloskey's total, indicating a 72-vote lead districtwide for Mr. McCloskey.

Two days later, on November 9, it was discovered that Gibson County had also made a tabulation error, a simple and obvious machine counting error. Two precincts had been counted twice, incorrectly inflating McCloskey's margin by 111 votes.

The correct tabulation in Gibson County, Mr. Speaker, gave McIntyre a 39-vote districtwide lead based upon election night returns.

Correction of the Vanderburgh County error was made before the certification was sent to the Indiana secretary of state. The Gibson County clerk, however, had already sent a certificate bearing the incorrect totals. Although admitting the error, the clerk, a Democrat, refused to correct the certificate. Although admitting the error, he refused to correct the certificate.

McIntyre filed a mandamus action to require the Gibson County clerk to correct the error. The action was pursuant to a specific statutory remedy to correct certification errors, Indiana Election Code, section 3126-7, and was entirely apart from Indiana's statutory recount process.

The Indiana secretary of state was notified of the action filed by McIntyre. He decided to delay certification of the winner in the eighth district pending resolution of the Gibson County error under the statutory remedy.

McIntyre also was granted a temporary injunction by the Marion County Court in Indianapolis to prevent the secretary of state from certifying McCloskey based on the incorrect totals.

Mr. McCloskey opposed the Gibson County mandamus action on the grounds that only a recount could correct the mistake.

The judge in Gibson County dismissed the mandamus action and ordered a recount to begin.

McIntyre appealed the dismissal.

The Indiana State Supreme Court on November 29, 23 days after the

election, decided the issue in favor of the McIntyre position to correct the election night errors and against the McCloskey position to rely exclusively on a recount.

The State supreme court ordered the Gibson County court to accept jurisdiction and recognize the statutory mandamus remedy and to decide upon the request for a mandamus order to correct the election results separately from the recount; however, the county recount was completed by the time the Gibson County court reassumed jurisdiction, officially acknowledged error in the county returns and granted the mandamus on December 10.

The Gibson County clerk then sent a corrected certificate to the Indiana secretary of state which verified the original tabulation error, but also reflected the results of the recount in which McIntyre lost five votes by other tabulation corrections.

McIntyre now led McCloskey, Mr. Speaker, by 34 votes.

During this same time, McCloskey had filed a complaint before Judge Brooks in the U.S. district court in Evansville seeking two injunctions. First, he requested an order directing the Indiana secretary of state to certify him the winner by 72 votes based on incorrect totals, arguing that the secretary must certify a winner based on the county certificate then in his possession, no matter how clearly erroneous these totals were known to be.

Second, McCloskey sought an order to prevent the conducting of the recounts requested by McIntyre.

Mr. Speaker, we have the example of a former Member of Congress requesting the secretary of state of the sovereign State of Indiana issue a certificate based on tabulation errors that were known to both parties to be incorrect. We find that astonishing.

Judge Brooks denied both injunctions after a lengthy hearing during which both McCloskey and the Indiana secretary of state testified. Upon receipt of the corrected Gibson County totals on December 13 and as required by Indiana law, the Indiana secretary of state immediately issued a certificate naming Richard McIntyre the winner.

Mr. Speaker, when we arrived here on January 3 to take our oath of office, the first thing we did was to vote for our leaders. Mr. McIntyre was allowed to vote in that process. In that election we elected a Speaker and we elected a House minority leader.

Immediately thereafter, a resolution was offered before this body to deny the seat to Mr. McIntyre. This seat came after a long and legal and careful process in the State of Indiana and this body exercised a heavy-handed cold-blooded evisceration of the corpus politic of the sovereign State of Indiana.

□ 1630

They did it in front of an entire nation.

The danger here, Mr. Speaker, as I see it, is that in exercising this kind of unilateral, heavyhanded unfairness, a kind of political apartheid, we have set into motion a set of forces which indicates that this House can question any election of any Member, this House can say to any of the sovereign States, "We don't like your procedures; we are going to recount. We don't care what your law says; we are going to have a recount."

Right now there is a recount going on in the State of Indiana. This recount, regardless of its outcome, is in total contravention of the laws of the State of Indiana.

There is no real contest. There never has been a contest in Indiana because there has only been one certified winner, Mr. Speaker, and that is Mr. McIntyre.

The contest is between Mr. McIntyre and the U.S. House of Representatives. There is no precedent for that in 200 years.

Mr. GINGRICH. Will the gentleman yield?

Mr. STRANG. I will be most delighted to yield to my colleague from Georgia.

Mr. GINGRICH. Let me first of all say that I think the points the gentleman is making are so accurate, the degree to which the Democrats in this House have acted are so outrageous that it is interesting, I hope the House has taken note of the fact, that the very distinguished chairman of the Republican Congressional Campaign Committee, the gentleman from Michigan [Mr. VANDER JAGT], was scheduled to debate the very distinguished Democratic Member who I will not name because he is not on the floor, and that that debate was canceled, and that the very same Democratic leader on four occasions recently turned down an opportunity to debate another Republican on this issue. And it is understandable, if you look at the case of the McIntyre situation, that there is no real ground for anything except the seating of the Member who has won an election and has won the recount and has been certified.

But I would ask the gentleman one thing because I know he has had a very distinguished career as a legislator in Colorado. I would just wonder, since I was only just a history teacher and I never got to serve in the State legislature, I wonder if the gentleman could share with us what his reaction would be to somebody who voted on a State election and voted to try to run clean elections in Colorado, and was trying to take care of Colorado, what would the gentleman's reaction be to the idea that the Democrats in the

House of Representatives could step in, and by a 2-to-1 party vote, usurp the entire election law of Colorado and simply eliminate everything the gentleman's legislature had done; how would the gentleman feel about that as a State legislator?

Mr. STRANG. I thank my colleague from Georgia.

Mr. Speaker, I would respond to him that as a former State legislator I am appalled that the U.S. Congress would usurp unto itself powers that are not allowed or even recognized in one of the sovereign 50 States. The State of Indiana has a set of rules and procedures which they have followed meticulously and scrupulously, and they have sent this Congress their Representative from the Eighth District of Indiana.

This Congress has refused to seat him. Even during the process while they are going through a fatuous exercise of a recount in contravention of Indiana law, we have refused to seat him.

State legislatures do not understand that. State legislatures are charged with the responsibility of adhering to the constitution of their States and seeing that those constitutional imperatives and prerogatives are observed.

We as a body take an oath to the Constitution of the United States and we think that is serious business. And for this body to pick up the reins and to defy one of the States who has sent us one single certified winner, the loser has never contested the election, I might point out, Mr. Speaker, never contested the election, is an appalling exercise of sheer raw power.

As we look at the situation, Mr. Speaker, I am reminded of something that occurred to me about 2 months ago when I was at this podium. It is a dilemma that one gets, Mr. Speaker, when one is shoeing a mule. I do not know how many of my colleagues have ever had the privilege of shoeing a mule, if privilege it can be deemed. But I have.

Sometimes when you are shoeing a mule, Mr. Speaker, you feel that hind leg tighten up and you know you are in trouble because you can stay there quite a while and hold that leg up in the air, but you cannot hold it up the rest of the night. And you know when you put it down he is going to kick you.

I think, Mr. Speaker, that is the kind of dilemma that the majority party has got itself in with the McIntyre issue, and I would like to offer to work with them to help put that mule's foot down on the ground and get them out of the way when he kicks.

The serious problem of having a body who has already voted against Mr. McIntyre's interests, being the body that is the judge of Mr. McIn-

tyre's interests in the State of Indiana, they have voted against him by 2 to 1, places them in an impossible position. We believe in a trial by jury in this country. In this case the jury was stacked and the same stacked jury is now charged with dealing with the same question on which they have voted in the negative once before. That is almost an impossible charge.

I admit that our colleagues on the House Administration Committee are above reproach. I think they have set themselves a dubious task.

Mr. COBEY. Will the gentleman yield?

Mr. STRANG. I would be happy to yield to my colleague from North Carolina.

Mr. COBEY. I appreciate the gentleman from Colorado yielding, and I appreciate the fact that he has come to the well of the House continually to speak out against this injustice that is going on in this country, this unconstitutional act that has no historical precedent.

I note and want to note today that this is the 104th day since January 3 of this year that the people of the Eighth District of Indiana have not been represented. Yesterday we passed the deadline for filing of income taxes. This is a duty of all of our citizens, to file their income tax and pay their taxes as of April 15. Truly we can say that the people of the Eighth District of Indiana are being taxed without representation, the very thing that our Revolution was fought over, that we broke away from the mother country and formed our own United States.

We are told continually that this process will come to an end soon. We passed the promise 45 days. Two weeks ago we said that the votes would be completed and tabulated within a few days. Then we were told another week and then another week. We are told this morning by the distinguished chairman of the task force that again our hopes that the people of Indiana would be represented are dashed again. We thought that the process would come to an end this week. We are told now that the process will not be over until perhaps next week.

But can we count on that or is this going to go on and on and on?

Mr. STRANG. If the gentleman will yield back for just a moment, the point the gentleman raises, Mr. Speaker, is that 500,000 people in the Eighth District of Indiana have been denied representation in this body while they have had to watch from the sidelines as people voted on farm bills, on MX, on all kinds of issues that affect their future. They have not had representation and, in fact, the proposal from this podium that they be permitted to waive income taxes for the period for which they were not represented has a good deal of merit.

I think the gentleman raises an extremely good point. If the gentleman will let me continue for a time I would like to read, Mr. Speaker, an editorial in the Denver Post of April 1, Denver, CO.

#### SEAT THE CONGRESSMAN

Nearly five months after voters in Indiana's 8th District narrowly elected Republican Richard McIntyre to Congress, they remain taxpayers without representation. Ruling House Democrats, including Colorado Reps. Pat Schroeder and Tim Wirth, rallied behind defeated Democratic incumbent Frank McCloskey to prevent McIntyre from taking his seat.

Democrats have defended this naked abuse of the electoral process because the initial returns showed McCloskey won by 72 votes. But one county made an error—admitted by both parties—in reporting votes. When the totals were corrected, McIntyre was the winner by 34 votes.

Next, a full recount by special county commissions again named McIntyre the winner—by 418 votes. The Democrats then argued McIntyre didn't deserve to be seated because during the recount, Indiana officials tossed out some 5,000 ballots, many from Democratic areas. But the vast majority of those ballots were disqualified by local commissions controlled by Democrats.

Next, with a gesture of contempt toward the taxpayers, House Democrats ordered that both candidates would receive a congressional salary although neither could represent the district until a special commission of two House Democrats and one Republican completed yet a third recount. Since both Democratic commissioners had already voted against seating McIntyre, that's a bit like asking Fidel Castro and Mikhail Gorbachev to "impartially" evaluate Ronald Reagan.

Historically, in such disputed elections, the House has seated the apparent winner while the legal process of investigation and recount unfolds. That's what should have happened in this case. If a fair, bipartisan commission—not a stacked one—ultimately determined McCloskey had indeed won, he should then have replaced McIntyre.

With a 70-vote House majority, Democrats hardly need to worry about losing one seat. But in their blind frenzy to protect one of their own, they've trampled on the rights of 500,000 Hoosiers to a voice in Congress. Schroeder and Wirth should stop abetting this cheap partisan charade and, along with the rest of the House, vote to seat McIntyre.

□ 1640

I yield to the gentleman from North Carolina.

Mr. COBEY. I thank the gentleman for yielding.

I appreciate the gentleman reading that editorial. None of us has said that the House should not exercise its constitutional duty to investigate any election that they think there are irregularities involved. But the point that we have been making ever since January 3 is that the duly elected and certified person in that race, who is Rick McIntyre, should be seated. I am concerned about the fact that this departs from all historical precedent and in a sense sets a new precedent. I hope that the Governor on behalf of the



people of Indiana will continue to pursue this in the courts so that not only can justice be done in the sense of Rick McIntyre being seated but that the precedent will not be set for years ahead that no other duly elected and certified Member will not be seated pending an investigation.

Mr. Speaker, I appreciate the gentleman coming to the well and pointing this out again. I hope that this injustice will be corrected by next week and that we do not have to subject the people of the Eighth District to this kind of unconstitutional situation of not being represented but being taxed. I thank the gentleman.

Mr. STRANG. I thank the gentleman for his comments.

Mr. Speaker, by way of conclusion this Member would beg this body to exercise the kind of fairness which is basic to our country as a people and to our country as we are made up; fairness, fairness: Seat Mr. McIntyre.

Mr. Speaker, I yield back the balance of my time.

#### SHOGUN POLITICS: EXPORT EVERYTHING YOU CAN; BUY ONLY WHAT YOU REALLY NEED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. GAYDOS] is recognized for 60 minutes.

Mr. GAYDOS. I thank the Speaker.

Mr. Speaker, I am not going to take 60 minutes. I do want to congratulate my colleagues for a most interesting debate which preceded my remarks. It was most interesting and made the time move very fast.

Mr. Speaker, once again, the voices of sirens, those beautiful sea nymphs that led Ulysses and his crew into dangerous waters, are lulling us into believing that calm waters lay ahead, even though we know the sky will turn dark, the seas will boil and we'll be pushed onto the rocks of disaster.

For those who don't know, I am referring to the latest announcement by Japan that it is ready and willing to provide a more open marketplace for American manufactured goods.

Quite frankly, I applaud Japanese Prime Minister Nakasone for his willingness to put his political future in jeopardy by urging the Japanese people to "buy American," but at the same time, I harbor little hope for success.

For those who may not be aware of the Prime Minister's recommendations, let me just highlight the key elements in the package.

First, the Government will implement an "action program" within 3 years to improve market access and will increase investment and industrial cooperation for developing countries.

Second, the Government of Japan will ask its people and companies to

make their best effort to import and buy more manufactured goods, while the quasi-governmental Export-Import Bank of Japan will reduce interest rates on import financing.

Third, tests for technical standards on telecommunications equipment will be conducted by a neutral, impartial and independent agency.

Fourth, when technical standards are established or amended, the Government will ensure that interested parties are informed of schedules and plans.

Fifth, further consultations will be held with the United States and other industrialized nations about eliminating tariffs on electronic equipment.

Sixth, foreign clinical test data will be accepted on some pharmaceuticals and medical equipment. Insofar as pharmaceuticals are concerned, the foreign test data will be acceptable only for those used outside the body in diagnosis rather than treating illnesses.

Seventh, cargo containers used by American shippers will be allowed on Japanese roads "under certain conditions."

Eighth, Japan will promote the liberalization of its financial and capital markets as well as the internationalization of the yen.

I could add a few other items, but those I have mentioned are fairly illustrative.

For example, the last item mentioned, the liberalization of Japanese financial markets and the internationalization of the yen were supposedly part of an agreement reached between this administration and Prime Minister Nakasone last year. The implication is that we are no further along in Japan's movement toward these goals today after almost a year of waiting for action.

If you read the various accounts detailing the items cited by Prime Minister Nakasone, you find words such as consultation, negotiation, and consideration.

To me, those words mean that while an expression of good faith has been made, we are a long, long way from realizing the ultimate goal and that there could be a number of snags in the interim.

Just a moment ago I applauded Prime Minister Nakasone's efforts to ease the trade tension between our two nations. I believe he is sincere in his desire to prevent an all out trade war. At the same time, I fear that he may not be able to deliver. I fear that, as in the past, the Japanese Parliament and perhaps even the Prime Minister's own party will rebel against his recommendations, leaving us in the same position as we are now. I fear that the Japanese will continue their practice of shogun politics.

How many times in recent years have Japanese leaders sought to molli-

fy our anger at the overwhelming imbalance of trade by offering us assurances that they would open their markets to our manufactured goods, would eliminate the hidden and not so hidden, barriers to our products, and would come to the negotiating table ready and willing to make firm decisions?

How many times have we seen the end result be no change in the system?

The answer, of course, is too often.

I know that I will be accused of "Japan bashing." I can accept that. But, really, my anger is less directed at the Japanese for wanting to protect their markets, their companies, and their employees, than it is at our own Government for failing to do the same.

Let me just cite a few examples of what I mean. Shortly after the current administration agreed to let the quota limits on Japanese car imports lapse, Lee Iacocca of Chrysler Motors said that instead of going ahead with plans to expand operations in the United States, he would seek to increase the number of Japanese-made cars already being made for Chrysler. That cut, an estimated \$2 billion, will cost the United States some 20,000 new jobs.

In the current issue of Business Week, Robert Galvin, the chief executive of Motorola, Inc., is cited for his efforts to encourage this administration to set realistic limits on imports that undercut his product line. At the same time, however, Galvin indicates that Motorola's present work force, which is currently 30 to 35 percent offshore, could shift to 50 percent in the next few years.

How does Galvin explain it? He says, simply, "We will do that to survive. But that survival includes a process of defection. We are defecting from this country."

How much clearer must we state the issue? At what point will we decide that enough is enough?

Everyone seems prepared to blame the United States for its problems in trade. Our industries are too old and outdated to compete favorably, some say. Our unions have pushed the cost of labor up to the point where labor costs cut too deeply into profits, say others. Our Federal deficit and the strong dollar make it more difficult for us to compete in the world's markets, is the response from still others.

No one can doubt the validity of those arguments. But, even taken together, they are not enough to account for the tremendous and increasing trade imbalance.

Just look at the figures. The current account, the broadest measure of trade because it includes goods and services, for 1984 showed a deficit of \$101 billion, almost 2½ times the 1983 deficit of \$41 billion.

The merchandise deficit for 1984 was \$123 billion, a new record. And, given the figures for January and February of 1985, the picture is going to look a lot worse. In January, the merchandise deficit was \$10.3 billion; in February, \$11.4 billion, roughly a 10-percent increase over January.

Even assuming there is no change from month to month for the rest of the year, the merchandise deficit would be above the \$130 billion mark for 1985. And most experts are estimating a 1985 deficit closer to \$150 billion.

And why do we focus our attention on Japan? For two reasons. First, the largest share of the deficit with any single nation is with Japan—\$36.8 billion in 1984. And look at the product imbalance. The Japanese sold us \$13 billion worth of new cars; \$5.5 billion worth of office and data-processing equipment; \$5.1 billion of electrical machinery and parts; \$5.4 billion in miscellaneous manufactured goods; \$4.8 billion in consumer electronics; \$4.3 billion in telecommunications equipment; and \$3.5 billion in steel mill products.

And what did we ship to Japan? \$4.7 billion in grain; \$4.5 billion worth of ores; \$3 billion in chemicals; \$2.8 billion in industrial machinery; \$1.5 billion in light manufactured goods; \$1.4 billion in other manufactured goods; and \$1.1 billion in office machines.

Apparently the Japanese don't mind accepting our natural resources.

The second reason for the focus on Japan is the restrictive policies, both stated and unstated, that limit the entry of American goods into the Japanese market and, at the same time, exclude the goods of others nations, including and especially the developing nations of Asia and the Pacific Basin.

And that means, as I noted in my remarks to this body on March 6, that those nations ship their excess production to the United States, the most open market in the world.

Some of us might wonder why the other industrialized nations aren't suffering from as heavy a burden as we. Well, it's fairly easy to understand. The nations of the European Economic Community, according to a report in the Wall Street Journal of April 8, take a hard line when it comes to imports, especially from Japan.

Before the Europeans give away a share of their markets, they want something in exchange. They wouldn't accept a deal such as this administration's in dropping the "voluntary" quota on cars without getting a major concession in return.

An anonymous common market official is quoted in the article as saying:

We have had lots of political messages (from Japan) that have made us look up and say, "things are changing, but the goods are never delivered."

And that's the whole point of my standing here before you today. We have been here before. We have listened to the Japanese promise to open their markets. We have watched our representatives in negotiations with them, heard the words, but in only a rare instance or two have we seen any real action.

Mr. Speaker, I am not suggesting that we close America's doors to foreign goods. That would be tantamount to suicide. All I am suggesting is that we practice some control, that we be somewhat more judicious in the quantity of foreign goods entering this country.

When Lee Iaccoca decides that a planned investment of \$12½ billion is trimmed by nearly 20 percent, that is cause for alarm because it means that those dollars will be going abroad, putting profits into someone else's pockets and putting some other nation's workers on jobs that could have been here in the United States.

The 20,000 jobs that experts believe will be lost as a result of Chrysler's decision may seem like a drop in the bucket when we talk of millions unemployed.

But when that is added to all the other jobs in this country that have been lost because American manufacturers have been driven out of business by subsidized and dumped foreign goods or because American businesses moved their operations offshore because that was the only way they could compete, then it's a whole different ball game.

Bob Galvin of Motorola, even though he says he might have to move more of his operations offshore, doesn't really want to do that. He speaks firsthand about the difficulties of breaking into the Japanese market, being denied permission to invest in Japan, especially after encouraging Japanese companies in the United States.

As Galvin says, "The present administration has refused to recognize the problems of unfair competition from abroad, but especially from Asia." As he put it in the article in Business Week, "By failing to stand up for American industry, the American Government is letting American industry walk out of this society."

Mr. Speaker, we cannot afford this type of policy. We can neither afford the loss of these industries to offshore locations nor the loss of those jobs here, nor the loss of the investment capital and the taxes that would be used to reduce the deficit.

Bob Galvin deserves some credit for speaking his mind. Unfortunately, the people who are listening to him are the same people who have been concerned about this problem for a number of years.

Galvin suggests that the United States impose a 20-percent surcharge

on all imported, manufactured goods for a 3-year period.

Of Course, there is another alternative. Ben Wattenberg, a columnist for the Washington Times and a senior fellow at the American Enterprise Institute, recently offered his own program for eliminating the trade deficit between the United States and Japan. Although Wattenberg's suggestion is obviously done as a tongue-in-cheek thought, I repeat it for those of you who might not have seen it.

As Wattenberg says it:

What we need is elementary; a device to lower the budget deficit, lower the trade deficit, send the Japanese a message, and make taxes simpler. My all-purpose solution: "The fair, flat, Japanese defense tax."

Wattenberg notes that while the Japanese spend only about 1 percent of their gross national product for defense, the United States spends about 6 percent of its GNP for defense purposes.

Wattenberg says:

That's not fair. After all, the United States defends Japan. We have pledged our armed forces and our nuclear retaliatory ability to let the world know that Japan is off limits . . .

For many years we have urged the Japanese to raise their defense budget. Each year they say they will; each year they do very little . . .

Our policy should be this: "OK, we understand your problem, Japan. Just pay us the money."

The Japanese GNP runs about \$1 trillion a year. If they spent an additional 5 percent per year of that on defense—the same rate we spend, that is—it would cost them an extra \$50 billion. Under my plan we would levy a flat tax of \$50 billion on Japan.

Such a payment would meet the current target of budget-deficit reduction. It would curtail our trade deficit with Japan by an immediate \$50 billion. Finally, some of the bonus could be used to cut American taxes . . .

Mr. Wattenberg offers another alternative as well, Mr. Speaker. He suggests that Japan could just contract with the United States for defense purposes at a flat rate of \$50 billion a year.

While Mr. Wattenberg is pulling our leg, Mr. Galvin isn't, even though both seem to recognize the importance of the problem this country faces.

Perhaps an answer to some of the problem has been offered by Sam Walton, chairman of Wal-Mart Stores, a 753-unit chain of stores that operates primarily in rural communities.

Mr. Walton is concerned by the rate at which his smalltown customers are losing their jobs as factories around the country close or cut back on production because of imports.

And, rather than add to the rhetoric, he acted. He has decided to emphasize American-made products in his stores.

One positive example of Mr. Walton's decision affects Lasko Metal



Products of West Chester, PA, a manufacturer of portable electric fans.

Over the past 10 years, Lasko, because of import competition, had reduced its employment rolls by 30 percent. "A recent Wal-Mart order for 400,000 fans," says Lasko, "will put them back where they were."

Perhaps it is jingoistic to encourage "Buy American" programs here in the United States, but why is it so different for us to encourage consumption of domestic goods over imports when other countries have the same kinds of policies?

There is a growing trend among American manufacturers to use American-made products and parts, wherever and whenever possible, but I hope it isn't too late. I hope some of those industries that are happily becoming extinct can be saved.

Perhaps what we need in this country is a new policy—similar to the one we have for preserving wildlife species that are on the verge of extinction—that would provide special protection for industries that were in danger of extinction because of imports supported by Government subsidies as well as those dumped in this country at cut-rate prices.

After all, Japan used that concept in reverse when it provided special import protection to new and developing industries that its government had decided were worth the investment for the future.

Perhaps we must decide now what our investments for the future of our economy should be—and then we must do something about it.

Until we do something, let us not be lulled by the siren song. As much as I would like to believe Prime Minister Nakasone, I have doubts that he will be able to deliver. I also believe the Japanese are underestimating the concerns of the Congress and the people of the United States.

A recent interview in *USA Today* with Kenichi Ohmae, managing director of McKinsey & Co. in Tokyo, underlines that point. According to Ohmae, the Japanese believe their markets are open to American companies and, therefore, have trouble understanding what our complaints are.

Ohmae points to several American companies that are producing goods in Japan and marketing those goods there. The key to success in the Japanese market, according to Ohmae, is being based in Japan.

But that really doesn't solve the problem. It merely means more offshore production and a comparable loss of American jobs.

And, Mr. Speaker, if Americans aren't working, it means they can't buy goods, whether domestic or imported.

But the real answer is quite simple. All the Japanese have to do is truly put in action the recommendations of

Prime Minister Nakasone—and put them into action quickly.

As Douglas MacArthur II, a former Ambassador to Japan, said in a recent commentary in the *Christian Science Monitor*:

For those in Japan who claim that the problem is not Japanese protectionism but the "failure of Americans to understand the Japanese market" and "to try hard enough," the answer is simple: "Then you have nothing to fear in lowering your unfair trade barriers."

And to Mr. MacArthur's answer I would add only this: And follow the rules insofar as exporting Japanese goods to the United States.

□ 1710

#### THE CENTRAL MIDWEST INTER-STATE LOW-LEVEL RADIOACTIVE WASTE COMPACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MADIGAN] is recognized for 10 minutes.

● Mr. MADIGAN. Mr. Speaker, I am pleased to join today with my distinguished colleagues from the States of Illinois and Kentucky in introducing the central Midwest interstate low-level radioactive waste compact. This legislation is needed to put the central Midwest compact into effect, and I hope Congress will act expeditiously on this matter.

In 1980, Congress enacted the Low-Level Waste Policy Act, which established the Federal policy that each State must be responsible for providing the capacity for disposing of the low-level radioactive waste generated within its borders. This law also recognized, however, that such waste can be best managed and safely stored if done on a regional basis. Accordingly, the Low-Level Waste Policy Act authorized States to enter into regional compacts to develop regional disposal facilities for low-level radioactive waste.

The legislation I am introducing today is the regional compact that Illinois and Kentucky have entered into. This compact will not become effective, however, until it has been ratified by Congress. I understand that several other regional compacts are similarly awaiting congressional attention.

Mr. Speaker, it is time for Congress to address this matter. As has been explained by my distinguished colleague from Arizona [Congressman MO UDALL], we must act on the regional compacts this first session if we are to avoid a political crisis and possible disruption of low-level waste disposal next year.●

#### MY ADVICE TO THE PRIVILEGED ORDERS

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. Mr. Speaker, I continue in my advice to the privileged orders of America, in this case. I have explained at the outset, earlier, that this is a takeoff on one of the most intriguing personalities in the history of America, Jowel Barlow, who was a chaplain in George Washington's Revolutionary Army.

He was truly a revolutionary. His writings reflect that he would be very much a revolutionary today. Of course, we live in a day and time in which the Tories are in control in our country. Had many of our leaders acted correspondingly in that day and time as today, they would have been the conservatives of the day; they would have been the Loyalists; the Tories, upholding the sovereignty of King George the Third. So that I have advisedly selected Jowel Barlow's admirable approach at that period of time, which coincided with the French Revolution and the tremendous fear that that spread throughout Europe and the kingdoms of Europe from England to Spain, very much like the Russian Revolution in 1917 did and has continued to spread fear, sometimes quite irrational fear, among other realms and jurisdictions of the modern world.

His full title was "My Advice to the Privileged Orders of Europe for the Need of Revolutionary Change." This is exactly what I am asking in the course of these pleas to my colleagues, whom I consider to be in that class or category of highly privileged Americans. The only difference being that in this day and time the question is whether we reaffirm those basic tenets that gave rise to the Constitution, which is the charter, of course, of our Government. Or whether through abdication, we, almost on the eve of the 200th anniversary of this form of government.

We have not quite had, as I have said repeatedly, our bicentennial in that request. That is the 200th anniversary of the founding of this form of government. Because that will not be until 1989. In fact, that will be the bicentennial of the First Congress in 1789; March 4, in New York City.

The issues, as small and struggling as those Thirteen Colonies were then, we are speaking about a nationhood that did not have too many more than 3 million citizens. The issues were very basic, as they always have been throughout mankind's history, and they are today. I have used this as sort of a predicate in order to address the main, immediate issues, plus some of the underlying, long-term issues that our generations following us will have to confront.

First and foremost, I have discussed the question that has led, amazingly,

to our country going back to a status that was true during the colonial period, in which the merchantile system prevailed. That is, the mother country controlling the economy of the Colonies through the merchantile system, whereby all of the finished goods, the manufacturing processes and all, were retained in the mother country and to the mother country. So that this was one of the underlying but basic causes of the American Revolution.

As to the outward form that the Revolution took, and the immediate cause, the massacre in Boston and the like, those were things that triggered off all of these churning and boiling feelings, and sentiments, and resentments that had been building up. The Stamp Act; the various Tax Acts; all of which were predicated in upholding the merchantile system, whereby the Colonies were producers of raw goods, if any, or were consumers of all of the processes and products that the manufacturing elites in England and in other European countries were producing.

Our country has been, up to now, a creditor nation. It has also been, particularly since about the time of Teddy Roosevelt, a sort of a creditor nation. We are now a consuming or a dumping ground, and we have just heard one of my illustrious colleagues from Pennsylvania discuss some of the problems in what we now call the Rust Belt, it is not now the producing area of the world. It is now the unemployment capital of our country. We have there more persistent, long-term unemployment than anywhere else. No nation, no society can long endure with that as a sufferance, without recognizing, through a strict class structural ossification the fact that America has reached that point that Thomas Babbington McCollough referred to about 110 years ago after his visit to America and was asked by an English journalist what he thought of those boastful, prideful Americans that talk about egalitarianism, that is, equality. Equality in opportunity for economic well being as well as equality before all of the political, judicial processes.

He said: "Well, it remains to be seen, America has the frontier as a safety valve."

But I appeal to the 20th century, in about a century, when America has by then has then filled with teeming people, very much like present teeming Europe, then I appeal to the future to see if the Americans have found a different result from the European experiment or result. In other words, stratification of social classes.

We forget, and I see it never reflected, even in what some very preeminent authors write, in bringing in our so-called allies, the fact that there is a

profound chasm of difference between our set up and theirs.

□ 1720

There is not any intellectual in Europe. There has not been any writing that does not speak very much like the Arab finance minister who, at the height of the embargo on oil and watching very much our discomfiture because of political reasons, that he said:

Well you Americans, with your libertinage, with your type of freedom that you have which is so violative of any kind of discipline, it is about time that you receive some and learn the lessons of the other part of the world.

We forget that in these countries if you are the son or the daughter of a laboring man, if you are a hod carrier's son, the chances that you will become a doctor, or a dentist, or a lawyer, or a professional, or go into business for yourself, whether it is in England, or France, or West Germany, or Spain are nil. They are just not there. You have an accepted class structuralization that America was filled by people who escaped from that with the promise of equality before the law, equality for economic opportunity, if the citizen was law abiding, hard working, honest, and toiling for his livelihood.

Today America has reverted in a matter of 4 years from a creditor nation position to a debtor. We have reverted to the mercantile system, and we are now preempted as a producer. We are the consumer dumping ground for the world's products whether they be Japanese, even Chinese, where the Chinese favored nations status that this Congress gave China has put heavy pressure on our textile industries in this country. Anybody who has anything to do with a clothing manufacturing or a garment shop in his district, just ask the manager of that district what has happened just within the last 3 to 5 years with respect to China and its impact.

With respect to the other, whether it is steel, whether it is farm products that now for the first time we are not having a favorable balance of trade. As a matter of fact, this is the most calamitous issue of all, and yet no discussion on it, and that is that for the first time in the history of this country or any other nation, our imbalance in trade, or what they call the international account, that is, the imbalance of trade and interest payments, is of such magnitude that I predict sheer disaster, and because of the interdependence of the world, not only for the United States but for the rest of the industrialized world.

There will be a summit next month, but you hear no discussion about that, any more than you heard any discussion about what is known as the ECU, the European currency unit, or the

European Monetary Fund, the EMF. Yet both of these were announcements after the 1979 economic summit meeting in Bonn, Germany, where the President will be going next month for the same purpose, a so-called economic summit meeting.

Since there has been no debate in Congress, in fact, I have been the only Member of the Congress, either in the House or in the Senate, who has even referred to European currency units or the European Monetary Fund.

Let me tell you what it means, my colleagues: It means that now Europe is in a position where it can dictate to the United States what it is going to do about substituting, as a generally accepted currency, ECU for the dollar. In 1979, perhaps, it sounded a little bit outlandish, even though the communique that was issued by President Carter, Helmut Schmidt at the time, Giscard D'Estaing of France, and the others, had only one line at the end of the communique that referred to the European currency unit or the European Monetary Fund, ECU or EMF. But today those countries, the 6 or the 10, depending on what you want to call them, the group of ten, or the 6 basic European countries in the European Common Market, have more gold as reserves than the United States for the first time. What that simply means is that the United States and its leadership in monetary and fiscal matters, and this is wholly an executive branch question, the Congress has delegated most of this to that one person we call our Chief Executive, and he, erstwhile working through the Secretary of the Treasury, but today that is just the tail of that dog and the one that really wags that is the Federal Reserve Board, because the Federal Reserve Board is supposed to be the fiscal agent of the U.S. Treasury, but the way it is working today and for some time now, it is the other way around. It is the U.S. Treasury that is there as a sort of a lap dog of the Federal Reserve Board.

The Federal Reserve Board was intended and it was written into the law when the Congress created it that it would be accountable to the Congress and the President, but it is not today, so it is making monetary policy. It is making fiscal policy. And now, as the present Chairman of the Federal Reserve Board told me when I questioned him when he appeared before the Banking Committee, which I have belonged to since I came to the Congress 24 years ago, said they will determine even the social issues, what should be the allocation of credit, even Government resources, in these all-important questions of social services into which is dumped everything from Social Security to disability, for veterans and everybody else.



It is Mr. Volcker who is determining that, and that is what he said when he appeared before the committee and I challenged him, and I said:

But your policies are actually dictating this. You are saying the Congress ought to cut the budget, but you are telling us exactly where and how, according to your priorities.

And whose priorities are those? Are they that of the elected representatives of the people? No; they are those policies representing the wishes and the demands of the most powerful financial banking industry in the world, because the Federal Reserve Board is in the lap and is the lap dog and is controlled by six or seven of the principal banking institutions in this country, from Chase Manhattan to the First City National. They are the ones sitting on the Open Market Committee that determines the interest rates which presently are flagellating at the highest real interest rate in the history of our country with respect to long-term mortgage interest than at any time in the history. They are the ones who are determining that. It is not the Congress. It is not the executive branch. It is not the Secretary of the Treasury.

As a matter of fact, the Constitution says that it is the Congress that shall coin the money and provide the currency.

□ 1730

But you look at your dollar bill in your pocket and you will see that it says, "Federal Reserve Note." It does not say, "Treasury Note," as they used to. As I have said repeatedly here, when I came to the Congress 24 years ago, at least four out of the five dollar bills I would have in my pocket said "Treasury Note," not "Federal Reserve Note."

Now, what does that mean? What it means is that it is the Federal Reserve that has arrogated to itself this power. Also, with this equivalent power that goes with it and transcends the national sovereignty, it has become in turn a "patsy" when it comes into competition with these crafty, knowledgeable, 400-year-experienced bankers in Zurich, in Germany, in Paris, and, above all, in London. And now you have the ridiculous situation where our country for the first time since Teddy Roosevelt's time is a debtor nation.

When Teddy Roosevelt decided that we would build the Panama Canal, we did not have the resources to build it. The French had failed, but we had to go to France to get the capital. It was about \$40 million, which at that day and time was a tremendous sum. We had to go to foreign capital markets in Europe.

Of course, when World War I came around, we were the only creditor nation, and we were the only creditor

nation in World War II. But not any longer, as of less than 3 years ago. We are now a debtor nation. Our entire financial system is teetering, depending on the whims of fickle foreign investors and speculators. Then the Congress went along and, over my objections, agreed on so-called private ownership of gold in 1976, about January 1. The act was going to be effective then; it was actually approved in 1975. And it was against all reasonable warnings, and privately the then-Chairman of the Federal Reserve Board said I was right, but he did not have the guts. Why? Because all of those fellows, every one of them, are errand boys for these powerful bankers who, in the meanwhile, have sold out the American people and their interests, just as Jefferson warned in his time, as Jackson did in his, as Lincoln did during the last week he was alive, and as Woodrow Wilson last did in 1917.

We are now completely in the control of these interests. They are the ones who are shaping and molding the policies, including the issue of war and peace today.

So my advice to the privileged orders is that whether this has happened or whether we are back in the days of the kingdoms, you cannot produce or you cannot sell out the people's interests without ultimately having to confront the day of reckoning.

And I say, why wait? Why not do now what we should have done at least 2½ decades ago at the latest? Is it too late?

I have been privileged to travel throughout the country in the last 3 years as chairman of the largest subcommittee in the entire Congress, one which has been the most heavily impacted in its jurisdiction by this administration's thrust in its so-called programs, the Subcommittee on Housing and Community Development. I have been into the rural areas, and I have seen the lamentable situation just 1 hour and 15 minutes' drive from the Nation's Capital where the growing season will be beginning in a few weeks. If you will go with me, I can take you there and you will see the worst living conditions for migrant workers that you can find in any of the underdeveloped nations that we say we are much better than—including the poorest country in Central America, Honduras. All you have to do is get in your car go up here to the Eastern Shore. I have been there.

I have been to the teeming metropolises where we have been building up explosive, dangerous social situations. I have been to the coast way out in the West. I have been to the Middle West, in rural and urban areas, and the thing there that is inspiring is the people themselves.

Now, the fact is that if it is too late, it is not because the American people

are not willing to do what it takes to be done, but it is simply that they have not been given any kind of leadership or basic information as to the nature of the issues on which they can base a knowledgeable decision or use as criteria.

But what is this that has led to this creditor nation becoming the supplicant and debtor nation? What has led the great producer, the arsenal of democracy during war, to become the dumping ground of the other countries, from Japan to West Germany, and, as I say and repeat, even China? Has it not become a basic abdication of principle? Has it not become a betrayal of the basic American participatory democracy based on representative republican government? I think it has.

□ 1740

I think it is. I think that the people have lost control up to now of these vital decisionmaking elements which I do not think could happen until just relatively recently in the so-called post-World War II era, forgetting that World War II has not ended. There is no peace treaty giving a final resolution to the conflict known as World War II.

As a matter of fact, we, of all the countries involved, have the greatest stake in that situation which we have not had the courage to confront either through incompetence or the lack of vision or the lack of responsibility.

It so happens that our oath of office calls and summons forth from us far more basic discharge of that oath than what I have been forthcoming. Our oath simply says, "I shall discharge this office well and effectively and, of course, loyally." I do not think so.

When we answer the question, how come this to pass, how come at this critical juncture of our development we are in this dilemma? The answer is astounding. It is that we have not even bothered to remember history, not even relatively recent history, the interim period between World War I and World War II.

We are doing the same thing. We hear all this talk today about, well, but you have got to consume those products so that those countries will have the means with which to pay their debts and they have got to have a favorable balance of trade. Well, what is a favorable balance of trade for one and not an unbalance for another?

This was the same thing that operated after World War I and in which the geopoliticians—later called Hitlers, but actually antedating Hitler—the German geopoliticians, financial wizards such as Dr. Hjalmar Schacht, who really was an American and came here and was able to raise tremendous funds. Some of our principal financial corporations were major backers of

Hitler and even after the war when we look at the history of the so-called de-Nazification programs, you will find it is a sorry mess because these very same interests came back, regrouped, and they absolutely prevented de-Nazification and the cartels reappeared, except they are not called cartels any longer. But over in Basel, Switzerland, where you have the so-called International Bank for Settlements of which the United States is still not a member, but now has to hat-in-hand, as our leaders of finance had to do just recently, and will go as sheep to be shorn to the economic conference next month in which they will be told, "Look, we are going to put bone and fiber as well as blood and flesh on this little skeleton up to now known as the European currency unit and the European monetary fund."

What that means then is that they are formally anchoring down the demise of the American dollar.

What does that mean to you and to me? Well, you do not have to be an expert to know. What we have vauntingly boasted as the American standard of living and as the chairman of the Federal Reserve Board told me, he said, "Well, some Americans are going to be adversely impacted in their standard of living."

And when I asked him, "Which Americans?" I wish you could have been there. He seemed to think I had insulted him. Well, you know what Americans. That is, you and me. That is anybody but the David Rockefeller classes who are the ones really running this country at this time, because the fate of this country is predicated on an economic well-being that is rooted in whether or not you have a viable participatory democracy.

So how come this pass? Well, we ignored history. We ignored that that same scheme was concocted by Dr. Hjalmar Schacht. The same thing was said then. If we do not lend them the credit, they will not be able to buy our products, overlooking the fact that when we extended credit, say, to Germany then, the German financiers then loaned some of that money to the Russians, to the Russian struggling Bolshevik government in order that it could finance some of its 5-year plans and other things.

We have done the same thing in the post-World War II era, except it was refined. The names of some of the countries, of course, have disappeared since World War II and are different, but the essential formula is the same and the essential result is the same.

What some of the European leaders so critically and so arrogantly have dismissed as Uncle Sap—not Uncle Sam, but Uncle Sap—so that where are we here in this Congress at this point. Well, my advice is, let us reaffirm the basic revolutionary principles, still revolutionary as exemplified

in the first five, six or seven words of the Preamble of our Constitution, which says, "We, the people", not "I, the President" or "We, the Congress" or "We, the Judiciary." It says, "We, the people of the United States, are the ultimate sovereign."

Now, when you say that nowadays, they call you a Socialist. They call you a Communist and yet this is what the struggle is all about throughout the world, because at the same time that the world has grown, it has shrunk and we are not going to be able to continue to have the margin or leeway of time for fundamental errors in this world of the 1980's. We might have been able to temporize in the middle twenties, the 20th century, but not now. We cannot afford the luxury of crass misperceptions of what that real world is to the south of us, what that real world is across the seas, whether it is the Pacific or the Atlantic.

Hearing the so-called discussions—I will not call them debate—there has not been any genuine debate. People are afraid in America today because the issue will be, like the President was trying to put it last night, "Are you unpatriotic? Are you for communism or against it? Are you loyal or disloyal to your leader?"

Not is this program right or wrong, is this policy right or wrong, is this issue to be discussed as it ought to be with full-blown debate? Not at all. We have had a deterioration. We have had a decadence of discussion in and out of the most solemn discussion body, such as the Congress.

Why is that? Again, we come back to what I hear so often. Look, it is fine to be a statesman, but remember, you have got to get reelected every 2 years.

The tragedy of all this is that it reflects a basic lack of faith in the judgment and the discernment of the average American citizen.

Let me say to you by way of advice to my fellow privileged members of the order in the United States, the people are way ahead of us. Yes, we got elected and some of us have been elected and reelected and elected and reelected; but I, for one, want to say that I have never forgotten where I come from or why I am here and that is that enough of a cross-section of citizens of all kinds, from all classes, of all colors, were reasonable minded, soberminded, responsible and just plain hardworking Americans and we gave them an issue and we fought the issue. We did not talk a fight. We have fought a fight and the people can tell the difference. That is all I can bear testimony to, but when I hear all the excuses, all the sophistry as to why even though it is a calculated course of disaster, it cannot be done differently.

The historian, Barbara Tuchman, just finished and published a book that I would recommend, "The March

of Folly," it is titled. She is intrigued and develops this tremendous thesis:

Why throughout history from the Trojan War to the Vietnam War do governments and heads of governments despite all of the known facts and the logic involved will persist in a course that is unproductive of good for the government and its people, is counter to the best interests of the people, yet steadfastly persistent in a calculated course for catastrophe.

As she says:

In government this has happened more often than no, whereas in other realms of human activity the average seems to be different.

Well, that was the first part of the subject matter; that is, if we are going to base such a thing as a \$315 billion defense budget, and as I have said ad nauseum, I do not consider this a defense budget. I consider it a war budget. The President has been illegally conducting war, not once, but more than once. Presently it is a war in Central America where he now is spending several million dollars a day, at the same time that he is asking us to tax the American people for the greatest exponential increase in so-called defense or military spending, while he is asking us to cut out housing.

It is all right to give other countries \$500 million—half a billion dollars—so that they can construct housing for their citizens, but it is a budget buster. You are a spender recklessly spending the money if you advocate holding on to the national housing programs on assisted housing for the poor and the moderate income that today now constitute the majority of the American people.

□ 1750

No, if you want \$250 million for a modest program to try to shelter the homeless, that is budget-busting. But if you have \$500 million, some of it never to be repaid, some of it to be repaid after a 40-year period at 1 percent, it is OK to give it so that housing can be built from the Middle East to the Far East and in between and in some of those countries to the south of us. I think that is a perversion of priorities.

I have always felt charity begins at home. There is an old saying in Spanish that I will not repeat in Spanish because, in the first place, I think that it is in a certain way not proper, and it is difficult to convey the significance except to those that speak the language. But what it simply says is that you can be a great light out in the street, a great beacon of light, while at home you are total darkness. That is exactly what is happening to us on this level, the most vital level, because no matter what we do domestically, I will tell you, my colleagues, you can cut out all of the so-called social spending right now, this budget can cut out housing, it could even cut out



Social Security, and everything else that you call social spending, nondefense, and you will still have a deficit of over \$35 billion.

Why is that? Why? Why did our country suddenly evolve this monumental, monstrous domestic deficiency known as the national deficit, and which the President says we have to look forward to for the next at least and possibly 5, but at least the next 3 fiscal years, \$200 billion or more?

This is while completely overlooking the \$140 billion deficit in international trade where our agricultural products had been the only source of our keeping an economic balance there, and even a little surplus now and then. But that is gone. That is gone.

This is why the farm crisis. The immediate triggering was what? The fact that China reneged on its purchase of 6 million metric tons of wheat. It reneged last year. We had the immediate consequences.

Where is the farm crisis in the wheat bill? Who talks about that?

That was a celebrated deal that the President made, some of it in secret, which he still has not divulged to the American Congress or the American people. And that is what was the secret deal with the Communist Government of China.

If it is all right to enter into a deal with that Communist country, what is wrong in letting a meager government that happens to have two or three so-called Marxist-Leninists in its government in Nicaragua? I fail to see the difference. If we are going to go to war, as we are already, if we are going to further commit our youth and our treasury to those jungles of Central America because we want and demand ideological purity, then I say all is lost, all is lost.

But I think that if any one of my colleagues goes out and really, really discusses it with the people, he will find that they have entirely different notions about that.

But in the meanwhile, what is happening here to us? We know what is happening now to the farm bill. We know what has happened to the rust bill. We know what is in the making is the other, because the average interest rate at which a little businessman must borrow money in order to finance a little meager inventory—and I am talking about real small businessmen. I am not talking about the U.S. Chamber of Commerce definition of a small business. I am talking about a real small businessman in America, that corner cleaners, the grocery store that still has mom and pop or the private little grocery store in the neighborhood. I am talking about the little car dealer that is trying to stay alive and is still a meager little agency. I am talking about the other real small business men that you and I deal with in our ordinary American life. They

have to pay usurious, exorbitant rates of interest. They cannot stay in business.

We have more businesses going out and have for the last 1 year and 3 months than we had during the Depression. Of course, there are more businesses and there are more American people now than during the Depression. But what does that mean? It means that we will be like we were during the Vietnamese war, that as long as it was that poor kid, the one who could not afford to go to college, or he could not afford to go to Harvard and take that very sophisticated course on how to duck the draft that got drafted and died in Vietnam.

What good did it do? My voice was the same in 1965. I was the first to get up here on floor. Sure, there was no TV coverage, but I still got up and I reported in August 1965 that those in the line of action, or apt to be in action, or had been in action in Vietnam in August 1965, over 45 percent were draftees.

Who got up in the Congress and said it is wrong to conscript an unwilling American into an undeclared war outside of the continental United States? I was looked upon as a radical even though I did not get up and double my fist and say "Hey, hey, LBJ, how many babies have you killed today."

But among the administration circles then and the Presidential circles, I was kind of questionable, of doubtful loyalty because I was raising these issues. I still am.

Oh, there may not be a draft going on now, but it is there. It is waiting in the wings. And its reimposition along the same unjust lines, it is there, it is the potential. Nobody wants to address that issue now. Nobody wanted to even then. It was in 1967 when the Draft Act came up for extension that I got up in the well of this House and offered a little simple amendment—really, it was not necessary—but it was my way of reminding my colleagues that when that original Draft Act was first passed by one vote in 1941 before December 7, the only reason they finally got that one vote was that they had to put a clause in there that said that notwithstanding any provisions of that act, no unwilling American could be conscripted against his will to serve outside of the continental United States, except a declaration of war by the Congress, or otherwise expressly provided so by the Congress. I say that is still an issue. I certainly thought so. And when I brought up the statistics that over 45 percent of those we were asking to die, or be maimed and hurt, were draftees, where were the pros? They certainly were smart enough to know where to stay out of it.

Who cared? It was not until later when the draft had used itself and the casualties started coming in, the near

100 a week, then all of a sudden it looked as if some of those exemptions would have to be cut out, and it looked as if that upper middle class young man was about to be called in, that you started getting telegrams and letters from corporate chiefs saying "Hey, Mr. President, what are we doing here now? We had better think it over."

Well, we are doing the same thing economically. The only difference is this: These invisible unemployed, most of them now have been unemployed for more than 18 months, they are invisible right now but they now amount to 10 million plus. Well, you say that is a drop in the bucket. Well, so was that number who were in Vietnam in 1965. It was a drop in the bucket according to some comments I heard from my colleagues.

I remember at a White House briefing that President Johnson called, and he was saying, "I am getting all of this criticism from the hawks, and I have my own Senator from Texas, John Tower, saying 'Bomb Haiphong' and 'Mine Haiphong' and then I have over here Senator Church," and he pointed to Senator Church who was present, and he said, "They want me to go easy or pull out."

□ 1800

"And you just heard the Joint Chiefs of Staff of the Navy point out what was involved and the casualties are coming." One of my colleagues got up and said, "Mr. President, what are you worried about? Why that figure of 65, last week, was, shucks, much less than the total traffic fatalities in our country for the same period." That was the reasoning.

Well, the rest is history, but we are on the verge of repeating the errors. We have learned nothing, as I have said we are like the Bourbon kings of old; we have learned nothing and forgotten nothing. Amazing, in the days of so-called democracy which were not even dimly visualized at that time, when the men wrote the most revolutionary words in the history of mankind, those first seven words in the preamble of the Constitution, "We the people of the United States in order to form a more perfect union, insure domestic tranquility"; it said "We the people." That was really revolutionary because every government in the world was ruled by divine right, kings or czars or potentates; and it still is the most radical revolutionary word today.

Let us go to the second phase of my advice to the privileged orders and my colleagues, what you are about to emerge into south of the border.

It has been so remote to the overwhelming preponderant number of Americans. When we have the question of immigration laws and reforms,

every one of our acts has been out of fear, an inordinate fear. Never has it been based by the overwhelming preponderant majority of these members as a reality along the border or for that matter along our shores. We forget, because of the publicity given the southern borders, that more than 40 percent of the illegal flow of immigrants into this country is not across the Mexican border.

We have one of the heaviest Asian illegal immigrations into this country and yet it is relatively unnoticed or unreported. Yet in shaping the laws here there is oblivion as to: First, the immediate thing; and second, the underlying cause. Nobody talks about why. And what can the resources of the Nation do, both short-term and long-term? I have not heard any discussion.

I have offered bills as I have said repeatedly to my colleagues in the RECORD, in this well, if I have gotten up often, if I have been critical and if I have said so of fundamental policies and programs, I have also always offered suggestions, either through resolution or a bill or an amendment. And for over 18 years, well more than that, because 1965 was the famous day in August that the Congress approved and sent to the President, who, with great fanfare, went and signed the bill at the foot of the Statue of Liberty, the great immigration law that was supposed to end every problem in 1965.

I got up right here in that seat and was the only voice raising an objection to an amendment offered then by a Minnesota Representative, for the first time placing a quota on Western Hemisphere countries. I asked him the rationale. He said, "We want to treat every country equally." I said, and this is all in the RECORD, it is not what I am saying now, an afterthought, I said, "Do you mean you want to put Mexico and the United States, or United States, Mexico, and Canada, the only two contiguous nations fate has decreed will share this part of the North American continent, you want to put them on an equal footing with Iceland?" And he answered from that well, "Yes, indeed."

I knew it was no use. We were in a state of mind, you cannot reason, you cannot debate when you are in that state of mind. And I predicted, I said, "Well, I will appeal to the very near future before you will see a real problem, because it is folly, it is. Anybody who knows the reality of the history of that part of our country and the reality of circumstances." So subsequent to that when the problem did begin to emerge and you began to have those that just could not or were not about to wait the lawful quota list in Mexico, they started crossing the border. I then introduced, especially when the economic situation in Mexico reached the fact and the proportion where it is

today, 50-percent unemployment, 50-percent rate of inflation and with the labor force getting an average, each year, of a number that exceeds by about 1,000 percent the ability of the Mexican economy to absorb. I then proposed what I have proposed every Congress since then, including this one, a bilateral development bank tailored on the private banking system. It is not going to be one of these governmental things, that would be targeting the border area on our side. Since 1982 and I amended it, so it would have jurisdiction of the 200 miles of our border inside, because we now have often 20-percent unemployment along the Mexican border, you have many businesses that have gone out with the financial pressures in Mexico. So, the development bank would provide resources and would concentrate, of course, on the Mexican side, on the basis that for every job we help create there we have one less illegal coming over here.

But up to now we are still struggling with it. I think this has to be addressed. I think unless and until we have a bilateral effort, not only on economic but on immigration matters generally, the situation will never be controlled, even minimally restrained. I have studied this matter throughout the world, whether it was in Europe or France, Germany and Spain. Of course in those countries they do not have to worry about constitutional rights. So their treatment of their imported Italian workers, Algerian workers, some Spanish workers, has been horrible. But they have the same problem. They used them in a time of need, and they did not know how to get rid of them so they kicked them out willy-nilly. We have a lot of resentment, persistent hatred. I had a call in San Antonio and I had two letters from individuals who said, "What are you worried about, the illegals? If you want to stop it just shoot them when they try to cross the border."

Well, if we want to go that way, that is one thing. I am assuming though that we have not been taken over by the Nazis yet, that our system of Government is not predicated on that which we went out and fought and shed blood to keep away from our shores.

So I am predicating it on humanitarian and civilized interaction between civilized governments. What I have said is very simple. Unless and until the U.S. Government and Mexican Government get together on a bilateral understanding, nothing is going to happen. This has been true in those countries where you have this phenomenon. It has been true in Hong Kong where you had the nearest parallel. Mainland China was sending in thousands of illegals just massing in Hong Kong, using up public facilities, eating up their resources and it was

not until some 6 or 7 years that finally the mainland Chinese Government came in and joined the Hong Kong Government that they finally managed to control the situation, even though Hong Kong had and still has strict identification card requirements. Every person in Hong Kong must carry an I.D. card. But I have seen the similarity in problems, and how it was not until both governments involved had a directly bilateral understanding in an attempt to try to resolve the problem, that you really did. But our current problems are based on the very, very erroneous and outmoded and failed policies of the past, where we could have Calvin Coolidge sending the Marines to Nicaragua, occupying that country for 9 years, leaving the heritage of the Somoza regime that we imposed and kept for 40 years and also building up their National Guard, the soldiers to keep it in power. The very name Sandino evokes their constant reminder that they were invaded. Sandino was the resistance leader of that day.

□ 1810

And what did you have then? You had Mexican presidents. They were revolutionary presidents like Elias Calles, sending Mexican marines to help Sandino resist the Marines. It took us 9 years then.

We have invaded Nicaragua six times in the 20th Century. So we have got to remember that those policies, they worked then because it was a more primitive existence at the time. They will not work now. The world has changed. It has changed all over, but it certainly includes Latin America.

When we talk about a general term such as Latin America, we are really confusing the issue. What we are on the verge of is the conduct of direct American intervention. Logistically and practically speaking, there is not a professional military that will tell you that it will take less than 100,000 of our troops.

Then what have you got? Let us assume we knocked out the Sandinista regime. Who is going to govern Nicaragua? Do we think that we can impose successfully the so-called Contras or rebels, 85 percent or better of whom are ex-Somozistas? Bitterly hated to this day?

What it will involve now is our American soliders going in very much like in Vietnam, where the soldier was compelled to kill men, women, children, peasants, grandfathers, grandmothers, because they are all armed. If the Sandinista regime were afraid of its people, it would not have turned out the profusion of arms to every hamlet, to every peasant, to every housewife in Managua itself. If you visit Managua and you go into the in-



terior of the city, you will see sandbag locations, you will see barracks and complete setup to foist any invasion.

They fully expect an American invasion, and I can see why, because we are on the threshold of that. We have not invested \$2 billion in just 2½ years just to train Salvadoran troops in Honduras. And I hate to see this because I believe it is unnecessary. I believe that I was impelled to speak for the first time, even though my name is what it is, I have never considered myself an expert; why, my goodness, I do not even consider myself an expert of local politics in San Antonio. Much less those of Mexico or any other country south of the border.

I have been charged with knowledge, information that is of impeccable nature that led me to speak out for the first time on April 1, 1980, and the President was not Ronald Reagan; it was Jimmy Carter. My message was identical, the same. My recommendation was the same as it is now.

If I had my way, even now, I would pull every American soldier out. Instead of the M60 tanks that we sent down there last week or so from the Texas National Guard, I would send water tanks. Instead of soldiers, I would send doctors, nurses, teachers. I would stimulate the religious missionaries that have been there: Protestant, Catholic, who have been murdered by the very forces we have financed in El Salvador and in other places.

I would pull them out, because I think we would be way ahead. If we would not do that, then I think we could do more good if we were to take those \$2 billion plus that we have already spent in this venture since the buildup 2½ years ago, and I would convert it to \$1 bills, and I would put them on C-130's and I would just bomb the country with dollar bills.

This is what I told one of President Johnson's chief advisers in 1968, and they almost threw me out of the plane. I think that if we had done that, we probably would be better off than what it turned out to be.

I say that if we ignore the fundamentals that are involved, whether it is these all-important questions of the economy, of the international trade, of our financial institutional setups which, as I have said, may be beyond redemption.

How are the people, even through the Congress, going to regain control of their financial future? Are we going to have to get up in arms and knock out the Federal Reserve? That would be ridiculous. I would not advise it; if we reach that point, then there is no use talking about anything.

I am still hopeful that the Congress will not continue to abdicate its responsibility in that respect. I am still optimistic and hope that perhaps before catastrophe, we can even have a congressionally mandated audit of

the Federal Reserve Board, which you cannot get today.

As far as I know, the Federal Reserve Board does not have an inspector general. I found that out when I brought out what I consider to be one of the most insidious things happening in America history, and that was the leaking of confidential information by the Open Market Committee, which developed and inured to the enormous profit of many financial institutions.

#### MRS. ONIE B. CURTSINGER

(Mr. HUBBARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUBBARD. Mr. Speaker, I speak today in tribute to and in memory of a longtime friend of mine, Mrs. Onie B. Curtsinger of Fancy Farm, KY, who died on January 16 of this year at the age of 87.

Mrs. Onie Curtsinger was a lifelong Democrat. She was a respected, influential lady in her native town of Fancy Farm in Graves County, KY.

The widow of Lucian J. Curtsinger, Sr., since World War I, she was commissioned a Kentucky Colonel many years ago and devoted much of her life to politics and good government.

Mrs. Onie Curtsinger was an active member of the St. Jerome Catholic Church in Fancy Farm and was also a member of the American Legion auxiliary. I cannot say enough about this great lady who is missed dearly by her family and many friends. If all people were as devoted to and conscientious about our country and our future as Onie Curtsinger, America would be an even better place to live.

Surviving are her son Lucian J. Curtsinger, Jr., of Wingo, KY; her daughter, Mrs. Mildred Hayden of Fancy Farm, KY; a sister, Mrs. Maybelle Willett of Fancy Farm, KY; and seven grandchildren and three great-grandchildren.

My wife Carol and I extend our sympathy to the family of this outstanding Kentuckian who was an inspiration to those of us who knew her.

#### REPORT ON TRAVEL SEMINAR CONDUCTED BY CENTER FOR GLOBAL SERVICE AND EDUCATION, AUGSBURG COLLEGE, MINNEAPOLIS, MN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. WEBER] is recognized for 60 minutes.

Mr. WEBER. Mr. Speaker, in a very few days this House will be asked to vote on an important issue, perhaps the most important foreign policy issue that this Congress will be considering. That being aid to the democrat-

ic resistance forces known as the Contras in Nicaragua.

This subject, of course, has spurred a great deal of discussion in the House itself and across the countryside.

One of the main sources of information being given to Members of Congress today from the populace at large comes from individuals who have recently traveled to Central America, particularly to Nicaragua, mainly with American church groups.

I had the opportunity to visit Central America, including a visit to Nicaragua recently, on a factfinding tour with our colleague from California, BOB DORNAN.

One of the things we found down there from the people in Nicaragua, particularly the people in the Catholic Church, was a deep concern about the biased nature of the information given to American church groups visiting Nicaragua.

In this special order what I would like to do is introduce a report submitted to me by one of my constituents and by another woman living in the State of Montana on a tour that they took of Nicaragua sponsored by a Lutheran church group.

I commend it to my colleagues because I think that it shows that we should be somewhat skeptical of the information conveyed to our constituents and the American public as a whole on the tours that they take of Central America under the auspices of certain churches.

This is the report on the travel seminar conducted by the Center for Global Service and Education of Augsburg College, in Minneapolis, MN, submitted to me by Linda Westrom of Elbow Lake, MN, and Jane Otten of Montana; two of the women that were part of this trip. It was submitted to me on March 20, 1985.

□ 1820

Mr. Speaker, I would like to begin by reading into the RECORD the introduction and summary of the report so that my colleagues can have I think a taste of the kind of information that is available to them in this report:

#### INTRODUCTION AND SUMMARY

The travel seminars sponsored by the American Lutheran Church Women and organized and conducted by the Center for Global Service and Education, Augsburg College in Minneapolis, are not objective educational experiences designed to acquaint women with the problems of Central America as they are purported to be. They are instead two weeks of intensive anti-United States pro-Sandinista indoctrination.

The purpose of this report by Linda Westrom of Elbow Lake, Minnesota, and Jane Otten of Bigfork, Montana, is to record our experiences on one such seminar in the hope it will alert others about the true nature of these trips.

We were part of a group of twelve women who participated in the Travel Seminar entitled "Mexico, El Salvador and Nicaragua—

Women in Mission: A View from Latin America" conducted November 7 through 21, 1984. We met for the first time at the airport in Mexico City where the group came together. Upon getting acquainted we discovered we had similar motivations for being there. We had some knowledge and considerable interest in the area and we had a desire to discover which of the many conflicting reports about it were true. We also shared some skepticism about the presentation in the Center's brochure which states the goal of the Seminar was: "to introduce participants to the reality of poverty and injustice in Latin America, to examine the root causes of these conditions and to reflect on our responsibilities as Christian women in alleviating hunger while working for social and political change."

The women in our group come from Ohio, Minnesota, Iowa, South Dakota and Montana. Most were leaders in their churches, and they were all sincere and genuinely concerned about Central America but they had little or no background knowledge about the area, its history, its people or United States policy there. What little information they had, had been sent by the Center prior to the trip and it supported the organizers' bias. In other words the group was susceptible and open to influence by the tour leaders and the instructors along the way.

The group assembled in Mexico where we spent five days at Augsburg House in Cuernavaca. From there we went to El Salvador where we stayed at the Alameda Hotel in San Salvador. We remained there three days and were hosted by members of the Resurrection Lutheran Church. We spent the remaining six days in Managua, Nicaragua, where we lived at another Augsburg House.

The staff of the Augsburg Houses were our instructors. They were U.S. citizens . . . capable and articulate young men and women who acted as our guides, interpreters and teachers and who demonstrated aside from their concern for the poor a deep commitment to Liberation Theology and the Marxist Revolutionary movement.

During the two week period our group was subject to incessant thinly disguised indoctrination. The root cause of poverty in Central America was the United States and its evil capitalistic system. The socio-political system which would rescue the area would come from the Marxist revolution as exemplified by the Sandinistas and validated by Christianity as defined by Liberation Theology. President Reagan was pictured as an evil man comparable to Herod seeking to kill the infant Jesus.

There was no balance. There was no attempt on the part of the trip leaders to represent U.S. policy or U.S. support of the area. We were exposed to a total of 45 speakers of which only 7 spoke from a pro U.S. perspective and we were conditioned to distrust them before and after they spoke to us.

Joel Mugge, the Center's director, acknowledges this slanted perspective. In a Minneapolis Tribune interview he admitted the program "does have a bias," and "The staff in general sees policies of the U.S. government as too militaristic and too interventionist." This we found to be a remarkable understatement!

During the several "reflection and evaluation" sessions in the course of the trip our instructors urged us to report what we saw, what we heard and how we felt when we returned home. Since our view of the trip is probably very different from the other par-

ticipants and not what the Center expected from us, we are pleased to comply with their request by writing this joint report about what we saw, what we heard and how we felt.

Mr. Speaker, at this point in the RECORD I will insert the body of the report by Linda Westrom and Jane Otten:

#### MANIPULATION AND INDOCTRINATION

Early in the trip, and even before it started, we realized the participants might be subjected to some manipulation and indoctrination.

One technique was to make us feel insecure and apprehensive and to put us in a defensive frame of mind.

"LINDA. In a pre-trip orientation meeting held at the Center Headquarters at Augsburg College in Minneapolis they emphasized how we would be feeling during the trip. We were encouraged to vocalize our 'fears' and to record them in our journals. We were then given the assurance that they were in touch with the State Department and it seemed unsafe we would not go into these countries. (It is ironic that the Center staff trusted the State Department in matters of our physical safety but did not trust its motives or policies relative to Central America) . . . We were warned particularly about El Salvador. We were told that the Bible is considered subversive material there . . . We were told that we would probably be followed while in the country; that our hotel rooms might be bugged and our belongings searched. We were urged to be as inconspicuous as possible while there . . . Furthermore the staff warned us that we probably would be body searched in the U.S. Embassies we would visit . . . We were told we would be asked by customs upon our return whether or not we had visited any farms and we should answer no because we would not be on a real farm. We did visit a real farm despite what they said."

The staff people leading our group made no effort to conceal their own feelings during the trip. In fact it seemed they deliberately revealed and exaggerated them in order to influence our own feelings. For example, they seemed genuinely apprehensive about our stay in El Salvador. In retrospect we understand why, since by predisposition our group was hostile to the government and the authorities probably knew it and would have been justified in keeping tabs on us. In any case, our guides succeeded in building tension and apprehension in us while we were there. By contrast we were surprised at how much they relaxed into a state of near euphoria as soon as we arrived in Nicaragua. We did not share the feeling but it was clear they felt they were among friends and as a consequence so did the majority of the group. Thus they manipulated the group's "feelings" to be negative about El Salvador and positive about Nicaragua.

Another early technique used by the Center staff was to make us feel dependent upon the staff personnel.

JANE. I arrived at the Mexico City Airport with a lady from Missoula, Montana, and one from Rapid City, South Dakota. We met briefly with some of the others and then the three of us were guided by our trip leader via subway and bus to Cuernavaca. It was during the rush hour and we made four subway changes; we were given no map and no destination address and we were conspicuous as North Americans. My Spanish was very rusty and we were travel weary and feeling the change in altitude. We felt dis-

oriented, isolated and apprehensive and our dependence upon our guide was quickly established. We were completely in her hands. It seemed to me that the whole episode may have been calculated and if so it certainly was effective."

The Center organized full itineraries for each country which allowed only short periods of time on our own. However, the language barrier and unfamiliar environments still kept us dependent on the staff.

A technique throughout the trip was incessant anti-U.S. rhetoric. When we arrived at Augsburg House in Cuernavaca the Center's hostility toward the United States government and the current administration became immediately evident. The staff was in despair over the results of the U.S. elections. They held an orientation session during which they directed us to their library which clearly reflected their leftward bias. The bulletin board contained posters and clippings which supported the Marxist revolutionaries and denigrated the U.S. One especially colorful poster depicted U.S. helicopters carrying bombs with the caption, "Herod searches for the baby Jesus to kill." Ronald Reagan was equated with Herod several times during the trip.

Another technique was used throughout the trip was setting aside a period in the evenings for what they called "reflection time." During these sessions they always encouraged discussions putting emphasis on our "feelings" rather than on facts. These seemed to be directed conversations which led to the conclusions they desired. For example, when there were comments about the material the Center had given us, the staff confided that this was material we would not otherwise see. From this, one lady in our group concluded that the U.S. press accounts of the situation was what the State Department wanted written. The staffers agreed with her conclusion and no one quarrelled with it.

We often had a period of worship in the morning when we read passages from the Bible and sang hymns. During these sessions we were sometimes encouraged to use the feminine pronoun "she" in referring to God.

The most overtly manipulative technique our trip leaders employed was to plant pre-planned questions with us before we met with agencies likely to represent views favorable to U.S. policy and unfavorable to the revolutionaries. During the trip we listened to 38 speakers representing the anti-U.S. position and only 7 who were pro. Pre-planned questions were used only when we were to hear pro-U.S. speakers. This procedure was followed before we visited officials of the "institutional Church" (meaning non liberation theology church), the U.S. embassies in El Salvador and in Nicaragua and the newspaper La Prensa in Managua.

In meetings before these visits we were encouraged to think of questions to be asked. Questions were suggested and individuals were urged "to take responsibility for asking them." Although the questions were generally perceptive and courteous they were clearly designed to embarrass the speaker or to put him on the defensive.

These visits were followed by another meeting during which we reviewed the questions and analyzed the answers. Whatever had been said that might support the U.S. position was derided, discredited, or somehow neutralized. For example immediately following our visit to the embassy in Nicaragua we met with Nora Astorga. She is the woman, quite glamorous, who lured a



Samoza general into her bedroom where he was brutally murdered. As a result she became a revolutionary heroine of the Sandinistas. Later she was proposed as the Nicaraguan ambassador to the U.S. but was rejected. Several of our group, at the urging of our guides, naively reviewed what we had been told at the embassy and asked her to comment. This gave her a chance to discredit everything we had been told.

On occasion when one of our group confessed to being confused by the conflicting testimony, a staff member always was ready with an answer which reflected the Center's bias. They seldom allowed a question to remain open lest that suggest there might be some validity in the other view.

Throughout the trip they tried to get us emotionally involved. One of the most flagrant examples occurred in Managua where the group attended a parish church service by a Marxist priest named Uriel Molina. (We found out later that he leads Centro Antonio Valdivieso, one of the organizations which propagate Liberation Theology.) At the end of his service during which he talked about solidarity, he invited the North Americans present to gather around the altar, join hands and sing "We Shall Overcome." The two of us did not participate.

We found that it is extremely difficult to maintain a balanced perspective after being exposed to these combined techniques for a period of two weeks. If we had not had each other to talk to we might have begun to question our own positions even knowing what they were trying to do to us. We feel it is virtually impossible for anyone who is naive and uninformed, and trusting of the Center, not to succumb to this type of brainwashing.

#### ROLE OF LIBERATION THEOLOGY

Both of us had heard a great deal about Liberation Theology before we made this trip but neither of us fully realized its importance to the foment in Central America. It is clearly being used in three ways:

1. To attack and discredit both the traditional church and the United States in these countries.
2. To encourage activism among people who historically have been apolitical.
3. To justify Marxist-Leninist revolutionary doctrine.

We were exposed to generous doses of Liberation Theology during the trip. In our introductory lecture to it, our instructor admitted it was controversial and then extolled its virtues—she never touched on its shortcomings. At first it sounded reasonable and even compelling and it seemed that it might have a part to play in Latin America. But as we heard more about it, its strident overtones of anti-capitalism, anti-church, pro-Sandinista, and pro humanism became painfully apparent, and it quickly lost its appeal. In fact, it became apparent to us that Liberation Theology is counterfeit Christianity. Like any counterfeit it masquerades as the genuine article, its deception carefully hidden, and it is apt to be accepted at face value by the unwary. The obvious contradiction is the fact that Liberation Theology which purports to be a Christian movement, is being used to advance the cause of an atheistic ideology. In his book "Christians Under Fire," Humberto Belli sums it up very well when he writes:

"In practice the revolutionary Christians do not preach to Marxists in order to attract them to Jesus Christ, but to Christians in order to attract them to Marx. The conversion of Christians to Marxism is indeed the

main evangelistic thrust of the (Liberation Theologists)."

U.S. Christians should look at Liberation Theology from all perspectives and examine it closely before they jump on the bandwagon. We found that the pro-L.T. speakers we heard did not hesitate to misrepresent the meaning of the scriptures.

"Linda. Liberation Theology was introduced to us right away in Mexico . . . the theme of 'the poor versus the rich' was handed to us. They used a misquote of the scriptures, 'Money is the root of all evil,' as justification for this theme because it fit their thesis. The correct quote, 'The love of money is the root of all evil,' does not, so they represent the popular corruption as being scriptural . . . One of the guest lecturers in Mexico, a Sister Dolores, stated emphatically that the verse in Matthew which states that Jesus came to preach good news to the poor does not refer to 'the spiritually poor,' but to the 'materially poor.' She also stated that 'the rich cannot be Christians' . . . Another guest lecturer on L.T. we heard in Mexico was an ex-priest, Gerardo, Tijssen who claimed to have served 'caring and concerned parishioners who happened to be socialists' in Chile. He was expelled from that country because he participated with his parishioners in a 'peaceful land take-over.' He now heads a Christian Socialist group. He had also been expelled from Peru and Ecuador and admitted that Archbishop Posadas Ocampo of Mexico now wants him out of that country. During his lecture he said, 'Cuba is the freest country I know and the most politically active' . . . Small wonder he is not welcome anywhere."

Our instructors made the claim that the purpose of the Base Christian Communities organized by the Liberation Theologists is to teach people to read the Bible and understand the scriptures. We feel that would be a wonderful goal if that were it, but we soon learned that it does not end there. The technique employed in the Base Communities is group study of the Bible in an informal atmosphere "without students or teacher." According to our Center guides it follows a standard fixed procedure:

First they read a Bible verse

Then the group discusses it and relates it to a current situation

Finally, they agree on a concrete action to be taken by the group

When they reconvene, they review the old lesson and critique their action before reading a new lesson.

This procedure obviously can be innocent and useful in everyday living, but in practice it is used to organize political activity which carries added force because of its alleged linkage with the Scriptures. It obviously can be a manipulative tool. (Incidentally the same technique was used on our group throughout the trip.)

Despite the claim that there are no teachers or students, clearly these are organized, well structured and directed gatherings. The question is who directs them and to what purpose? The answer is that people committed to supporting the Marxist-Leninist revolutionaries direct them to win activist converts. This was confirmed for us in Nicaragua by a Salvadoran priest, Fr. Pedro Decleary, who told us that the three questions they ask as they study the Bible verse by verse are:

- (1) Where did Jesus go and what did he do?
- (2) Who opposed Jesus and why?
- (3) Who do we see today doing what Jesus did?

He indicated that they solicit the following answers to these questions:

- (1) He went among the poor to liberate them.
- (2) The rich, powerful, and educated opposed Him.
- (3) Today the Sandinistas are doing as Jesus did.

It seems to us that these answers are worse than inaccurate . . . they are a perversion of the scriptures. Comparing the Sandinistas to Jesus would be funny if it were not for the fact that this sacrilege is being represented as the truth to innocent, semi-literate people who are excited about the Bible for the first time in their lives.

Humberto Belli in "Christians Under Fire" refers to this kind of activity as being a subtle form of religious persecution. He writes:

"When one speaks of religious persecution, one usually thinks of churches being seized, Bibles being confiscated, Christians facing mistreatment because they do not repudiate their belief in Jesus Christ. But there are more disguised ways in which a government can attempt to curtail the influence of religion in society and undermine its citizens commitment to their religious beliefs, leaders, and institutions. It is this kind of anti-religious policy that the Sandinista government is, in fact pursuing. Indeed, the Sandinistas have developed in innovation in the field of anti-Christian persecution: anti-Christian policies often carried out in the very name of Jesus Christ."

We know this sort of thing is happening. We know because we were told that it was, over and over again by our tour leaders and instructors. What we find hard to believe is that the same approach is being used to capture the support of sincere U.S. Christians like the women in our group. It is one thing to misrepresent the scriptures to semi-literate people just getting acquainted with the Bible but quite another to do it with people who have been raised with the scriptures and who are supposed to know them. Nevertheless that is what is happening and the frightening thing is that some supposedly knowledgeable people are accepting these misrepresentations.

It seems to us that people on these travel seminars lose their objectivity. They become so emotionally involved with the relatively poor conditions in Central America that they lose sight of the larger picture. Of course we believe that is exactly what the Center for Global Services and Education hopes will happen.

"JANE. It seems obvious that the Soviet-Cuba axis is pursuing the long term objective of communism which is the strategic isolation of the United States and that it sees opportunity in fishing in the troubled waters of Central America. However, it knows that to be successful it must conceal its true aim from the American people and thus it obscures the issues and casts for support from innocent people. Through experimentation it has developed tackle called Liberation Theology, which seems to catch some fish. the bait is Christianity, the hook is poverty, but the line is Marxist revolution and the net is totalitarian control of these strategically important countries. Like real fish, the innocents that are caught are not aware of the fisherman, his net or his line until they have taken the bait and swallowed the hook. Then it is too late."

The women who were with us on this tour were victims of this sort of trap because they are compassionate, caring people and were overwhelmed, smothered, by what

they say and what they were told. They lost their objectivity and seemed not to have sufficient background knowledge or political awareness even to recognize the distortions presented to them, much less to resist or challenge them.

#### IMPRESSIONS OF COUNTRIES AND PERSONALITIES

Our visits to the three countries, Mexico, El Salvador and Nicaragua, left us with some vivid impressions worth noting. Each country has a unique character. While they share a common language and cultural origin, their geography, history, ethnic influences, educational structure and present circumstance are very different. As a consequence their people and their societies are quite different.

It surprised us therefore, to be exposed to the identical message in each country. There was almost no variation in what the Center's speakers had to say from country to country. It was the same condemnation of United States policy, the same enthusiasm for the work of "the people churches," and the same defensiveness about the Sandinistas. With the exception of the seven pro-U.S.-policy talks we heard, the speakers could have been interchanged with out varying the message.

This reinforced our early suspicions about the program and eventually convinced us they were well founded. However, for those women who had given their trust to the Center, or who had no background knowledge of Latin America, or who were overwhelmed by the shock of being in unfamiliar environments, the repetition of these messages seemed to be convincing. Having lived with them for two weeks and undergone the same indoctrination we can understand why they were deceived.

Jane, who had lived and travelled in Latin America, observed that the people we met through the Center activities lacked the warmth and friendliness that she had come to associate with Latin Americans. They seemed too intent on delivering their message. Somehow they treated us more as couriers than as concerned people. The exception was in Nicaragua where we met some people who were not associated with the Center.

The following paragraphs record some of the more revealing experiences, activities and personalities encountered during the trip.

#### IN MEXICO

We visited a public market which was interesting and fun. The Mexicans were used to tourists so they have a lot of souvenir items for sale. Bargaining is part of the game and they are obviously very good at it. The market seemed to exemplify small scale free enterprise at its best. There were no signs of social unrest or discontent there.

We were exposed to a number of Mexican feminists while there. We visited CIDHAL, women's training center where a spokeswoman told us "the popular causes" were advancing through women. She linked exploitation of women with capitalism and indicated their belief that women were better off in Cuba. She also talked about abortion rights which "President Reagan was trying to prohibit." She said that the Mexican government and the U.S. government were involved in massive sterilization programs without telling the women they were being sterilized. She was very conspiratorial and said she was taking a risk talking to us as the U.S. was supplying funds for family

planning because it was afraid women were having babies to fight guerrilla wars. . . . Another woman, Irene Ortiz, spoke to us on a different occasion. She linked the feminist movement to the class struggle indicating the rights of women must challenge not only the social structure but also the democratic system. She indicated that men and women must strive together against class exploitation and that the solutions cannot come from the upper or middle classes. She also condemned feminists who get elected to high office and then fail to struggle for laws "to help women". . . . We also heard from leaders of a group which is organizing domestic servants. Its intermediate aims are better pay and vacation time but its ultimate aim is the elimination of domestic servants.

The Mexican Bishop Posadas Ocampo was one of the people who spoke to us who did not condemn the United States for its involvement in Central America. He warned against Liberation Theology. He had recently met with Pope John Paul II who he said, "Sees with clear eyes all that has been done in Christian Liberation as he himself is an example of it." He said the church has the Pope's support for evangelism but not for Marxism or violence. "The Church says, be careful. Do not deviate from Him who brings the love of God."

We got the feeling that the poor people of Mexico were bettering their lot through Bible study . . . not from the directed Liberation Theology type study but from the fact that they were actually reading the scriptures. We feel the truth of the scriptures can survive any effort to bend it or misuse it and that if people really read the Bible they cannot long be misled.

#### IN EL SALVADOR

The public market we visited in San Salvador was a treat. Like the market in Mexico bargaining prevailed but it was less geared to tourists. The people were bright and friendly and had attractive wares for sale.

We visited four refugee camps in El Salvador. They are operated and supported by the Lutheran and Catholic churches. All but one seemed to be well run under difficult circumstances. The exception was an extremely crowded facility in which the refugees were confined in a partially completed church building. It was operated by nuns and we wondered why the church or government did not provide better facilities. We were told that the church did not want help from the government. The uncharitable thought crossed our minds that perhaps miserable conditions made better revolutionaries. . . . By contrast the largest camp, Fe Y Esperanza, located about one hour's drive north of San Salvador was complete with a school, a chapel, a health clinic and workshops where they manufactured shoes, furniture and mended clothing. A characteristic of all the refugee camps was that they only housed women, children and elderly men. There was an explanation; all the young men were either in the army or with the guerrillas. Naturally the government would be suspicious of young male refugees and might well assume they were guerrillas, so one can understand how there is some tension between the camps and the government. One important fact remains, however, and that is the refugees in these camps were from areas where there is guerrilla activity and the people have fled to escape a dangerous situation.

We also visited an orphanage which housed very young children. We were told that the operators were reluctant to place

the children for adoption because they believed some of the children were not really orphans but were brought there for safekeeping by their parents who presumably are involved with the guerrillas. We were told that the orphanage was "harassed" with ongoing investigations by government authorities.

We visited the headquarters of "Mothers of the Disappeared" in San Salvador and were surprised by the reaction of women in our group. We were prepared for a very emotional experience because of the horror stories we had been told but it turned out to be the opposite. The office was located at a very noisy downtown street corner and the people there were laughing and behaving quite naturally. It appeared that the tragic tales had been related too many times. It was a shock to the women in our group to find themselves unmoved by the testimonies.

We had heard that San Salvador was a dynamic, bustling city and that its people were hardworking and businesslike. We found this to be true although the guerrilla threat has obviously taken its toll. There is tight security and the economy is down. But the people are alert and interested and we were treated well and felt comfortable there despite the warnings of our tour leaders.

#### IN NICARAGUA

The public market in Managua was a dramatic contrast to those in Mexico and San Salvador. The vendors seemed apathetic and indifferent and there was nothing attractive to buy. Our guides blamed "the war" for this condition but it should be remembered there is a parallel war situation in El Salvador.

We visited a cooperative farm near Managua which was operated for Salvadoran refugees. One hundred fifty people lived there. It was in a pleasant rural setting with neat houses and a few pigs and cows and some vegetable gardens. It was obviously meant to be a show place for visiting groups like ours. We were impressed until we looked more closely at a large, tidy cabbage patch in which three men were spraying the plants. They could have saved the time and effort because they were too late. . . the leaves of the plants were so riddled with holes they were lacey, and the plants had not headed and obviously would yield no cabbages. Later away from the tour we would hear, "It was just like the government. . . there is nothing there."

We visited the state-owned Helanica Textile Factory where a spokeswoman appealed to us to tell the people in the U.S. that they did not want war. "All we want is peace. Tell your men not to come here to fight because they also will die." . . . She asked, "Why is President Reagan fighting us? Communism? We don't know what it is." . . . but she went on to say, "We have good relations with Cuba and the Soviet Union and they will help us fight a war to survive." It was difficult to determine whether or not she believed what she was saying was true, but there is no doubt she wanted us to believe it.

The same no war theme was repeated by the Minister of Education, Fernando Cardinal, the Jesuit Priest who was recently "fired" by the Vatican. He told us that in the event of a U.S. invasion of Nicaragua, 50,000 young men would die in Managua alone and, "They will ship thousands of cadavers back to the United States." . . . Like most of the speakers he reassured us of their love for us and emphasized that they were Christians and only wanted peace. He



went on to say that we, "North Americans had re-elected a crazy man. If things do not change, you must warn him. We love peace but we will dedicate ourselves day and night to kill." . . . Cardinal's message was mostly threats. Nevertheless our American guide indicated his great admiration for him. . . . During this session Cardinal told us he sometimes spoke to groups like ours two or three times a day and that nine out of ten of them represented protestant churches.

The forced relocation of the Moskito Indians was "justified" by another priest, Justinian Liebl. Despite the fact that the Sandinistas have subrogated the Moskitos' local government, deprived them of their fishing industry, cut down their fruit trees, destroyed their livestock, and broken up their churches, he claimed the Sandinistas were "only protecting the Indians from the Contras." He did admit, however, that the FSLN had alienated the Moskitos after the "triumph" in 1979.

We were exposed to a number of different speakers in Nicaragua. Each had different focus in his presentation but they all had common themes which reoccurred with great frequency. One such theme was that "the Sandinistas are trying to create a new human being and a new society" which is a universal humanistic theme . . . They also talked about "solidarity" as they did in Mexico. But the word changed meanings—in Mexico it meant spiritual unity with the congregation, but in Nicaragua it clearly meant support of the Marxist regime.

Nicaraguans were not our only contacts which promoted the pro-Sandinista anti-U.S. themes. Jack Nelson, the Center's manager in Managua, did also. Incidentally, there were several anti-U.S. revolutionary posters displayed on the walls there as there were in Mexico. Nelson is the author of a book "Hunger for Justice," (Orbis Press) in which he applauds China and Cuba for their wonderful humanitarianism. He claims these countries have no unemployment, they have wonderful health care and no illiteracy (despite evidence to the contrary in the Mariel refugees). Nelson held these countries up as a shining example for the U.S. and promoted to us a program for our country which included: organic farming, cancellation of the farm debt (since farmers had to buy expensive machinery to disperse chemical fertilizers), and redistribution of land in the United States. In Managua he told some of us that he felt there should be a legal limit on what an American can earn. It was shocking to hear such nonsense from a fellow American.

We did have a few contacts which were pro-U.S.A. One was Cesar Rivas of the newspaper La Prensa. His talk was one of the ones which was discredited before and after by the staff personnel, but it nevertheless was a refreshing change from what we had been hearing. "It is strange," he said, "that intelligent people cannot see what kind of people the Sandinistas really are." He also talked about the invasion rhetoric indicating that the Sandinistas had been playing the theme of "imminent invasion" for five years.

Another pro-U.S.A. contact was not on the itinerary. We were able to get out on our own on two occasions in Managua where we met several people through friends of Jane's family. These people had nothing to do with our tour and had a very different view of what was happening in the country. We showed one woman our itinerary and recounted what we were being told. She intro-

duced us to a friend and repeated what we had said. They reacted half in amused disbelief and half in anger and assured us, "It was all lies!" . . . They indicated life in Nicaragua had been pretty good for about one year after Somoza was deposed, but had gotten steadily worse and now everyone was worse off than when he held power. They showed their ration cards which entitled them to one pound each of beans and rice per person per week. If they did not claim their ration on the appointed day, they forfeited it. . . . We asked about the election which had been held a few days before our arrival. They indicated it had been a show. The high turnout was a result of the threat of loss of ration cards of people who did not vote. One woman said that many did not mark their ballots and many wrote obscenities across it. (Later an election official admitted to us that there could have been some excesses in the use of threats) . . . Since many families had had their young men conscripted for military service, they were somewhat reluctant to criticize the government, but they seemed not only willing but eager to tell us the facts. They chuckled about the Pajaro Negro, the local name for the U.S. spy planes. Our guides had led us to believe that the population was terrified by them, but these people indicated that most Nicaraguans not only joked about them but cheered them.

To us these people were credible, as were the spokesmen at our embassies, Cesar Rivas at La Prensa and the anti-Liberation Theology church people we heard, despite the staff's effort to discredit them. Together they opened a different door for us and made us aware that there was, after all, another side of the story which was worth pursuing. The efforts of our guides to dismiss the opposing view as nothing more than State Department propaganda only served to confirm our belief that they themselves had something to hide. We are convinced that what the Center represents as reality is not reality at all and that one would come closer to the truth if she were not a captive of the Center's controlled and directed seminar.

Mr. Speaker, I would like at this point read into the RECORD the conclusions—and they are fairly brief—that these two women came to in the course of their trip to Central America:

#### CONCLUSIONS

One cannot participate in this kind of "Seminar" and remain neutral and uninvolved. She must take a stand. Either she "buys" the package being pushed by the Center or she rejects it. If she rejects it, she is compelled to question the motives of the Center's leadership and personnel.

We reject their package and we do question their motives. We are convinced that the Center is working against the best interests of the people of Central America and of the United States. Looking back objectively, reexamining the agenda, the events themselves and our own impressions and feelings, have led us to some firm conclusions, which are as follows:

First, the travel seminar is designed, organized and conducted to overwhelm the participants with information which supports the anti-U.S. pro-Sandinista bias of the Center for Global Service and Education.

Second, it became obvious to us that the poor, illiterate and semilliterate people of Mexico and Central America are being manipulated by the left to build hatred and

fear of the U.S. and build trust and approval of Marxism-Leninism. Women's movement organizations, Liberation Theology, so-called literacy campaigns, as well as Nicaraguan government propaganda all support these efforts.

Third, Liberation Theology, which is a perversion of Christian principles, is being used extensively not only to ensnare the suffering people in the revolutionary movement but also to corrupt well intentioned people, such as the women of our group who are genuinely concerned about conditions in the area, into support and approval of the "revolution."

Finally, over the course of the trip and after visiting these countries we gained the strong impression that reality in Central America is not as it was painted for us by our tour leaders. While Liberation Theology and the revolutionary movement may be encouraging some division, fear and hatred in these countries, we got the feeling that their influence is really somewhat superficial and more important in the minds of the liberal activists than to the people in these societies. Central Americans, even the uneducated, are not stupid and may not be as easily led as these liberal activists apparently believe. It seems to us that freedom, opportunity and a better future are the real goals of the people and that the kind of revolution as represented by the Sandinista government in Nicaragua is neither providing nor intends to provide any of these.

Our first three conclusions seem to be sustained by the nature of the materials we have received from the Center since our return. See especially:

Attachment #4 in Addenda which provides a list of Resources used by the Center. It includes well-known left wing organizations.

Attachment #7 which provides names and other detail on the Regional Network "clusters" being established by the Center. Note that it states, "You can depend on your cluster coordinator" for among other things, "specific contingency plans for your area in case of invasion."

Attachment #8 which discusses a "Public Hearing on U.S. Policy toward Nicaragua" organized by the Center on March 9. The interesting thing here is the list of the sponsoring organizations.

We really did not need the material mentioned above to give us confidence in our conclusions. If we had any doubts at all, it was dispelled at the end of the trip when the staff urged us to organize in opposition to U.S. policy in Central America; to call for an end of aid to El Salvador and the Contras; and a "hands-off" policy in Nicaragua.

It concerns us that these people are working against the best interests of our country and the people of Central America. It concerns us more, however, that they are doing it under the protection our system extends to religious institutions, in the name of Christianity while they attack its fundamental principles.

Mr. Speaker, at this point I include in the RECORD the addenda to the report:

#### ADDENDA

Materials supplied before Seminar:

1. Itinerary, Attachment 1.
2. List of Contacts, Attachment 2.
3. List of Participants, Attachment 3.

Materials supplied after Seminar:

1. Center for Global Service and Education Resources, Attachment 4.

2. Central America Audio Visual Resources, Attachment 5.
3. Periodicals to be Familiar With, Attachment 6.
4. Regional Network and Cluster Coordinators, Attachment 7.
5. Public Hearing Announcement, Attachment 8.

## ATTACHMENT 1

ITINERARY: ALC WOMEN TRAVEL SEMINAR,  
NOVEMBER 7-21, 1984

Center staff: Mavis Lund.

Cuernavaca staff: Brad Burkhartzmeyer, Richard Wood, Cindy Ofstead, Mary Clark. Managua staff: Jack Nelson-Pallmeyer, Sara Nelson-Pallmeyer, Ann Dohrmann.

## WEDNESDAY, NOVEMBER 7

Afternoon: Arrive in Cuernavaca by subway and bus (small groups).

7:00 p.m., Dinner.

8:00 p.m., House and program orientation.

## THURSDAY, NOVEMBER 8

7:45 a.m., Worship.

9:00 a.m., Introduction to Liberation Theology—Cindy Ofstead.

11:30 a.m., Field trip—Village of Coatepec; Susana (barefoot doctor); Ricardo and Agripina (campesinos).

Picnic on Lake Coatepec.

Pyramids of Xochicalco.

6:00 p.m., Reflection.

Evening free.

## FRIDAY, NOVEMBER 9

7:45 a.m., Worship.

8:30 a.m., Visit Angela at La Estación, a squatter settlement.

10:30 a.m., Reflection.

11:00 a.m., Bishop Juan Jesús Posadas Ocampo, Cathedral of Cuernavaca Padre Onísimo.

12:00 noon, CIDHAL, Centro para Mujeres (women's organization for education and documentation).

Latin American History from a Woman's Perspective—Guadalupe García Velasco.

Discussion—Edna García.

3:30 p.m., Walking tour of Cuernavaca: The Cuernavaca Quest.

7:30 p.m., La Casa Hogar: The Reality of Domestic Servants in Mexico: Herlinda; Graciela; Rosa; Carmen; Irene Ortiz.

## SATURDAY, NOVEMBER 10

7:45 a.m., Worship.

9:00 a.m., Reflection.

9:30 a.m., Irene Ortiz, Education and Alternatives for Women in Latin America.

3:30 p.m., Girardo Thijssen—Christianity and Socialism.

7:30 p.m., Introduction to El Salvador—Brad Burkhartzmeyer Introduction to Nicaragua—Richard Wood.

## SUNDAY, NOVEMBER 11

7:00 a.m.-12:00 noon, Attend various masses; Iglesia San Anton—with Rich; Iglesia Alta Vista—with Cindy; Iglesia Plan de Ayala—with Mary (J &amp; L); Cathedral—celebration of 50 years of ordained priesthood for former Bishop Sergio Méndez Arceo.

9:00 a.m., Breakfast.

Afternoon free.

4:00 p.m., Adela Jiménez—Forming and Utilizing Base Christian Communities.

7:30 p.m., Sister Dolores—Christian Catechetical Education.

## MONDAY, NOVEMBER 12

7:45 a.m., Worship.

9:00 a.m., Evaluation and travel procedures for El Salvador.

10:00 a.m., Depart for airport.

2:00 p.m., Flight to San Salvador, Taca International #211.

4:00 p.m., Arrive in San Salvador. Check in at Alameda Hotel.

7:00 p.m., Dinner at the home of Pastor Medardo and Abelina Gómez Wake at Resurrection Lutheran Church.

## TUESDAY, NOVEMBER 13

8:00 a.m., Visit Comunidad Fey Esperanza (Faith and Hope Refugee Community), Visit Comunidad La Reina (The Queen Refugee Community)—Terry Steinert.

2:00 p.m., Independent Commission of Human Rights.

4:00 p.m., Committee of Mothers and Families of the Politically Imprisoned, Disappeared and Killed of El Salvador Monseñor Oscar Arnulfo Romero: Carmen Campos (mother).

6:00 p.m., Dinner and discussion with Society of Women of Resurrection Lutheran Church: Abelina C. de Gómez, Cecilia Alfarro.

## WEDNESDAY, NOVEMBER 14

8:00 a.m., Visit San José de la Montaña (Catholic refugee camp).

11:00 a.m., Metropolitan Cathedral of San Salvador and tomb of Archbishop Oscar Arnulfo Romero.

12:00 noon, Shopping at Mercado Ex-cuartel (artisan market).

3:00 p.m., American Embassy: Pat Butenis, staff assistant to ambassador; Vitorio Brod, political officer; Bastiaan Schouten, acting director, U.S. AID (Agency for International Development); Ambassador Thomas R. Pickering.

6:00 p.m., Visit Centro de Convivencia Infantil (Baptist orphanage)—John Lamb.

7:30 p.m., Supper of Pupusas, Planes de Renderos.

## THURSDAY, NOVEMBER 15

9:00 a.m., Visit La Roque (Catholic refugee camp).

10:00 a.m., Tutela Legal (Archdiocese human rights group): Alan Martell, social secretariat.

3:00 p.m., Depart for airport.

5:00 p.m., Flight to Managua, Taca International #311.

6:10 p.m., Arrive in Managua, Dinner and house orientation.

## FRIDAY, NOVEMBER 16

7:00 a.m., Worship.

8:00 a.m., Hilanica Textile Factory.

9:15 a.m., La Prensa: César Rivas, Chief of correspondence.

10:45 a.m., Eje Ecueménico: José Miguel Torres, director.

3:00 p.m., Fr. Fernando Cardenal, Minister of Education.

5:00 p.m., Margarita Navarro; Batahola Norte and women's sewing coop.

## SATURDAY, NOVEMBER 17

7:00 a.m., Worship.

8:15 a.m., Justiniano Liebl, CEPA.

10:15 a.m., VidioNic: Wolf Tirado, Film: Nicaragua: the other invasion.

11:00 a.m., Salvadoran Refugee Collective, crafts.

1:30 p.m., Visit main plaza (National Palace, Cathedral, grave of Carlos Fonseca), Shopping.

3:30 p.m., CISAS, Health Care in Nicaragua: María de Zúñiga, Ana Quirós.

5:00 p.m., Reflection.

7:30 p.m., Base Christian Community-type Bible Study: Padre Pedro Declary.

## SUNDAY, NOVEMBER 18

7:00 a.m., Worship.

8:00 a.m., Visit an El Salvadoran refugee cooperative.

11:00 a.m., Mass at the Archdiocese of Managua: Archbishop Obando y Bravo.

3:00 p.m., Swimming (??) at a lake near Managua.

5:00 p.m., Mass at Iglesia Santa María de Los Angeles: Rev. Uriel Molina.

## MONDAY, NOVEMBER 19

7:00 a.m., Worship.

8:00 a.m., Field trip to León—Los Lecheaguas (rural village), Colegio María Eugenia de Jesús, Women's sewing cooperative, Health clinic, Hermana (sister) Leyla.

Indio Viejo (prostitute training center: sewing school and restaurant) Bonifia Roja.

Prison #21, from time of Somoza.

Gladys Baez, delegate elect to the Council of State.

Project Minnesota/León: Elizabeth Sander.

8:00 p.m., Reflection.

## TUESDAY, NOVEMBER 20

7:00 a.m., Worship.

8:00 a.m., Visit Ciudad Sandino: Sister Bea Zaragoza.

9:45 a.m., Consejo Supremo Electoral: Roberto Euentaz.

11:00 a.m., The Nicaraguan Economy: Jack Nelson-Pallmeyer.

2:30 p.m., American Embassy: Susan Clyde, public affairs consul.

4:00 p.m., Nora Astorga, Nicaraguan Foreign Ministry.

5:30 p.m., Reflection, Closing Worship and Eucharist.

7:00 p.m., Dinner at Los Antojitos restaurant.

## WEDNESDAY, NOVEMBER 21

5:30 a.m., Depart for airport.

8:00 a.m., Flight to San Salvador, Mexico City, Dallas, etc.

## ATTACHMENT 2

TRAVEL SEMINAR RESOURCE LIST—THE CENTER FOR GLOBAL SERVICE AND EDUCATION

## MEXICO RESOURCES

Brad Burkhartzmeyer, Apartado 116-B, Cuernavaca, Morelos, 62190 Mexico; 52-731-25641.

Richard Wood, Apartado 116-B, Cuernavaca, Morelos, 62190 Mexico; 52-731-25641.

Mary Clark, Cindy Ofstead, Apartado 116-B, Cuernavaca, Morelos 62190 Mexico; 52-731-25641.

Ricardo &amp; Agripe Nabor, Calle 5 de Mayo, Coatepec, Morelos, Mexico.

Irene Ortiz, Apartado 297, Cuernavaca, Morelos, Mexico; 52-731-57007.

Gerardo Thijssen, Apartado 297, Cuernavaca, Morelos, Mexico; 52-731-57007.

Sister Dolores, Apartado 116-B, Cuernavaca, Morelos, Mexico.

Adela Jiménez, 1110 Domingo Díaz, Colonia Empleado, Cuernavaca, Morelos, Mexico; 52-731-30496.

Bishop Juan Jesús Posadas Ocampo, Padre Onésimo, St. Francis Cathedral of Cuernavaca, Hidalgo and Morelos, Cuernavaca, Morelos, Mexico; 52-731-20630.

Guadalupe García Velasco, Edna García, CIDHAL, A.C., Centro para Mujeres, Apartado Postal 579, Av. Francisco Madero No. 516, Cuernavaca 62000, Morelos, Mexico; 52-731-38894.

La Casa Hogar, c/o Irene Ortiz, Apartado 297, Cuernavaca, Morelos, Mexico; 52-731-43748.

## EL SALVADOR RESOURCES

Commission of Human Rights in El Salvador (CDHES), 2a Avenida Norte y 17a, Calle Oriente, 1003 Planta Alta, San Salvador, El Salvador; 503-22-2376.

Committee of Mothers of Prisoners, Disappeared and Assassinated of El Salv., Edif.



ACUS, Urb. La Esperana, Av. Las Americas, San Salvador, El Salvador; 503-26-2005.

Rev. Medardo Gomez, Abelina C. de Gomez, Iglesia Luterana La Resurreccion, Calle 5 de Noviembre No. 242, San Salvador, El Salvador; 503-25-2942.

Ambassador Thomas R. Pickering, Pat Butenis, Vitorio Brod, Bastiaan Schouten, U.S. Embassy, San Salvador, El Salvador; 503-26-26710.

Alan Martell Tutela Legal Apartado 2253, San Salvador, El Salvador; 503-26-3479.

San Jose de la Montana, c/o Arzobispado de San Salvador, U.I. Menendez, Edificio Centro Univesitario Catolico, San Salvador, El Salvador; 503-26-19-43, 503-26-20-85, 503-24-52-55 (seminary).

La Roque Refugee Community, c/o Arzobispado de San Salvador, U.I. Menendez, Edificio Centro Univesitario Catolico, San Salvador, El Salvador; 503-26-19-43, 503-26-20-85.

Centro de Convivencia Infantil, c/o Iglesia Baptista Emanuel, Cuba Avenida & Mexico Calle, San Jacinto, San Salvador, El Salvador.

#### NICARAGUA RESOURCES

Jack and Sara Nelson-Palmeyer, Apartado 3267, Managua, Nicaragua, C.A.; 505-2-24268, 505-2-24713.

#### ATTACHMENT 3

TRAVEL SEMINAR TO MEXICO, EL SALVADOR AND NICARAGUA, NOVEMBER 7-21, 1984, LIST OF PARTICIPANTS

Nancy Mayer, 712 Vernon Rd., Columbus, OH 43209; 614/231-5829 h., 235-4136 w., Admissions Dir./Register at Trinity Lutheran Seminary.

Beverly Everson, 135 Water St. Box 0, Shell Rock, IA 50670; 319/885-4566 h., 885-4363 w., homemaker/bookkeeper and receptionist.

Alvine Duroe, 114 Hawley St., Jesup, IA 50648; 319/827-1340 h., retired.

Ruth Halvorson, RR 2 Box 354, Stanchfield, MN 55080; 612/689-3540 h., 340-0352 w., Retreat Center director.

Marlene Engstrom, 4300 Philbrook Ln., Edina, MN 55424; 612/926-6252 h., National ALC Women, Director.

Linda Westrom, RR 1 Box 70, Elbow Lake, MN 56531; 218/685-4232 h., Farm homemaker.

Lois Hove, 416 Westview Dr., Missoula, MT 59803; 406/543-5505 h., Homemaker.

Debbie Wee, 300 Shelard Pkwy, St. Louis Park, MN 55426; 612/542-9549 h., 475-4200 w., Social Worker.

Jane Otten, 695 Echo Lake Rd., Big Fork, MT 59911; 406/837-6135.

Kathy Thornes, 1321 Canyon St., Spearfish, SD 57783; 605/642-5665 h., Artist/writer.

Susan Everson, ALC Women, 422 South 5th St., Minneapolis, MN 55415; 612/330-3179 w., Director of Education, ALC Women.

Cindy Ofstead, Apartado 116-B, Cuernavaca, Morelos 62190, Mexico; 52-731-25641, Staff, Cuernavaca house.

Mavis Lund, Center for Global Service and Education, Augsburg College, 731 21st Ave. So., Minneapolis, MN 55454; 612/330-1159.

(Thought you'd like Bill's address, too. . .)

Bill Dexheimer, 1524 20th Street, Detroit, MI 48216; 313-963-7879, translator/consultant.

Ann Dohrmann, Apartado 3267, Managua, Nicaragua, C.A.; 505-2-24260, 505-2-24713.

Wolf Tirado, Tercer Cine, Apartado 4442, Managua, Nicaragua, C.A.; 505-2-5038, 505-2-27092, Telex 1054 Inhotelco.

Mary Hamlin de Zuniga, Apartado 3267, Managua, Nicaragua; hm 505-2-96102, wk 505-2-24713.

Ana Quiros, Apartado 3267, Managua, Nicaragua; hm 505-2-74186, wk 505-2-24713. Nora Astorga, Ministerio de Relaciones Exteriores, Managua, Nicaragua, C.A.

Hilanic Textile Factory, Apartado 3217, Managua, Nicaragua, C.A.; 505-2-41130.

Cesar Rivas, La Prensa, Managua, Nicaragua; 505-2-41240, 505-2-44738.

Justinian Liebl, CEPA, Apartado T-45, Managua, Nicaragua, C.A.; 505-2-74971.

Susan Clyde, U.S. Embassy—Managua, APO Miami, FL 34021; 505-2-27732.

Fernando Cardenal, Minister of Education, Ministerio de Educacion, Managua, Nicaragua, C.A.

Jose Miguel Torres, Eje Ecumenico, Apartado P-50, Managua, Nicaragua, C.A.; 505-2-27798, 505-2-23211.

Uriel Molina, Director, Centro Antonio Valdivia, Apartado, 3205, Managua, Nicaragua, C.A.; 505-2-25993, 505-2-24577.

Maryknoll Sisters, Bea Zaragoza, Ciudad Sandino, Apartado A-165.

Sr. Leyla, Lachecua, Leon, Nicaragua, C.A.; 505-031-2713.

Elizabeth Sander, Project Minnesota-Leon (send mail to her through Center); 505-031-3322.

Roberto Euentaz, Padre Pedro Declery, Consejo Supremo Electoral; 505-2-26069.

Archbishop Obando y Bravo, Arquidiocesis de Managua, Managua, Nicaragua, C.A. Margarita Navarro.

#### OTHER CONTACTS

Bus Driver—Jose Benito Solorzano.

Los Antojitos near the Intercontinental Hotel. Outdoor restaurant with nice atmosphere for evening snacks.

Visit Eduardo Contreras market. Popular market on the outskirts of the city where one can find some crafts and also dialogue with shop owners.

Swimming at Lakeside resort of Xilos, just outside of Managua.

#### ATTACHMENT 4

CENTER FOR GLOBAL SERVICE AND EDUCATION RESOURCES

#### ORGANIZATIONS

Clergy and Laity Concerned, 198 Broadway, New York, NY 10038; 212/964-6730.

Interfaith peace and justice organization with national network CALC report—\$20 year.

Coalition for a New Foreign and Military Policy, 120 Maryland Ave. N.E., Washington, DC 20002; 202/546-8400.

Network of 43 national organizations; publishes voting records, action guides, newsletter Coalition: Close-up \$20 yr.

CISPES (U.S. Committee in Solidarity With the People of El Salvador), 3410 19th Street, San Francisco, CA 94110; 415/861-0425.

National solidarity organization; publishes newsletter.

COSCA (Committees of Solidarity: Central America), 2706 Gaines Street, Davenport, IA 52804; 319/324-2937.

Resources for solidarity work; Newsletter with a daily Central America chronicle, \$6.

EPICA, 1470 Irving Street NW, Washington, DC 20010; 202/332-0292.

Ecumenical Program for Interamerican Communication and Action; research and publications.

Honduran Information Center, 1151 Massachusetts Ave., Cambridge, MA 02138; 617/497-0150.

Coverage of events in Honduras; Honduras Update, \$12 year.

Human Rights Office, National Council of Churches, 475 Riverside Drive, New York, NY 10115; 212/870-2424.

Information on human rights work around the world; Newsletter and Directory of human rights organizations.

Impact Network, 110 Maryland Ave. NE, Washington, DC 20002; 202/544-8636.

Ecumenical legislative information/action network; state organizations; publications with membership.

The Nicaragua Exchange, 239 Center Street, New York, NY 10013.

Arranges 2-week Nicaragua visits to help harvest crops.

Inter-Religious Task Force on El Salvador and Central America, 475 Riverside Drive, Room 633, New York, NY 10115. 212/870-3383.

Organizes national actions and events; information packets and mailings.

Institute for Food and Development Policy, 1885 Mission Street, San Francisco, CA 94103; 415/864-8555.

Research and publications on development; newsletter Food First News, \$20 year.

NACLA (North American Council on Latin America), 151 West 19th Street, 9th Floor, New York, NY 10011; 212/989-8890.

Research organization on Latin America and U.S. foreign policy; NACLA Reports and other publications.

National Network in Solidarity With the Nicaraguan People, 2025 "I" Street, NW, Suite 402, Washington, DC 20006; 202/223-2328.

National solidarity organization which coordinates actions, events, and speakers.

Network in Solidarity With the People of Guatemala, 930 F Street NW, Suite 720, Washington, DC 20004; 202/483-0050.

National coordination of Guatemalan solidarity work.

New York Circus, P.O. Box 37, Times Square Station, New York, NY 10108; 212/663-8112.

Ecumenical center for social justice and international awareness; publishes LUCHA, \$10 year.

New Wine Exchange, Lutheran Metropolitan Ministry, 3800 Bridge Ave., Cleveland, OH 44113; 216/281-2600.

National Lutheran network doing Internationalization of Mission.

Oxfam America, 115 Broadway, Boston, MA 02116; 617/482-1211.

International development agency that funds self-help projects and disaster relief; prepares educational material.

Washington Office on Latin America, 110 Maryland Ave. NE, Washington, DC 20002; 202/544-8045.

International organizations liaison; information resource for supporting religious groups.

Witness for Peace, P.O. Box 29241, Washington, DC 20017; 202/636-3642.

Creative non-violent action organization for Christians concerned about Nicaragua.

#### ATTACHMENT 5

#### CENTRAL AMERICA AUDIOVISUAL RESOURCES

This relatively short list of audiovisual resources has been compiled by the Center for Global Service and Education. Not all films have been previewed by the Center, so we suggest that you preview films before use. Asterisks are placed by highly recommended AVs. Addresses of offices where films are available are at the end of list. For a more complete list of audiovisuals, send for a Guide to Films on Central America, Media

Network, 208 West 13th Street, New York, NY 10011. \$2.

## GENERAL

*Americas in Transition*, 29 min., 16mm, 1981.

What are the influences that sway the politics of Honduras, El Salvador, Guatemala and Chile? What role has the U.S. played in the past and present and what role will it play in the future of these countries? This film examines the causes and effects of change in Latin America today. Narrated by Ed Asner. Available from: APH, \$8 rental. AFSC, \$5 rental. MCC, price negotiable.

*Struggle and Hope*, 28 min., videotape, 1982.

Account of 25 ALC members travels through Mexico and Nicaragua, their perceptions of the struggle and hope in these countries' peoples; and, the telling of their own spiritual awakening, which surprised, challenged and renewed these ALC members. Produced by ALC Media Services Center. Available from: APH, \$4.

*Power for Change*, 25 min., videotape, 1982.

A dialogue between Christians of the United States and Latin America about changes in Central America. They share their reflections on new understandings of political and theological ferment in the region. Produced by ALC Media Services Center. Available from: APH, \$4.

*Dollars and Dictators*, 30 min., filmstrip, 1981.

Examines the role of the U.S. in Central America, including descriptions of corporate, government, and financial involvement. Available from: AFSC, \$5. RC, \$25/week.

*In Pursuit of Refuge*, 30 min., filmstrip, 1982.

Tells in their own words and music the story of people who have been forced to flee the war-torn countries of Guatemala and El Salvador. Available from: APH, \$4. CROP, nc.

*Born from the People*, 22 min., filmstrip, 1983.

Introduction to the history of five Central American countries and background for understanding 1983 U.S. church policy statements on U.S. role in Central America. Produced by Presbyterian Church. Available from local Synod or Presbytery office or CROP.

*Sanctuary*, 58 min., 16mm, 1983.

Describes the world wide plight of refugees, following families from Central America, Southeast Asia, and Africa in their search for safety. Produced by Church World Service. Available from: APH, \$8.

*Central America: Roots of the Crisis*, 25 min., slides and cassette.

Historical overview from the point of view of those who are most affected by the crisis—peasants, workers, students and churchpeople. Produced by and available from AFSC.

*Excuse Me, America*, 50 min., 16mm.

A portrait of the struggle for nonviolent social change and a look at the United States from the perspective of Dom Helder Camara, Archbishop in Brazil, Cesar Chavez, Dorothy Day and Mother Theresa of Calcutta. Available from: APH, \$8 and CROP.

## EL SALVADOR

*Roses in December*, 55 min., 16 mm, 1982.

Moving examination of the situation in El Salvador and the work of U.S. lay missionary Jean Donovan, slain in 1980. Available from: CROP, nc.

*Grave of an Unknown Salvadoran Soldier*, 28 min., filmstrip.

Depicts the plight of Salvadoran refugees who flee into neighboring Honduras. It shows the murder of one refugee as a microcosm of the conflicts in Central America. Produced by Church World Service. Available from: MCC.

*Seeds of Liberty*, 30 min., 16mm, 1981.

Examines the deaths of four American missionaries in El Salvador on Dec. 2, 1980. Explores through interviews with military, government, and church leaders in El Salvador and the U.S. Available from: APH, \$8.

## GUATEMALA

*Guatemala: I Carry Your Name*, 25 min., slide/tape set, 1984.

Provides an excellent background to the current crisis. Special attention is given to the nearly one million Guatemalans made refugees from the repressive policies of their military government. Produced by Take 4 with P.E.A.C.E. for Guatemala. Available from: Oxfam, \$15.

*Adios Guatemala*, 22 min., 16mm, 1983.

Powerful and moving film which depicts the plight of Guatemalan refugees living in camps of Chiapas, Mexico. Provides an understanding of the historical and political situation which has caused hundreds of thousands of Guatemalans to flee their country. Available from: AFSC, \$10.

*Witness to the Slaughter: The Church in Guatemala*, 22 min. filmstrip.

Portrays base communities of the church uniting to challenge status quo of oppression. Produced by National Council of Churches. Available CROP, nc.

*Todos Santos Cuchumatán: Report from a Guatemalan Village*, 41 min., 1982, 16mm.

Illustration of historical changes and response of indigenous peoples to introduction of cash cropping. Available from CROP, nc.

*Guatemala: The Gathering Storm*, 29 min. video or slide/tape, 1983

Introduction to Guatemalan history and reasons behind fighting there. Good photography and music. Available from Oxfam; AFSC, \$10.

## HONDURAS

*Honduras: On the Border of War*, 25 min., slideshow/tape set, 1983.

Describes the strategic importance of Honduras, and examines role of banana corporations, the country's internal politics, and the growing opposition within Honduras. Available from: HIC, price negotiable. APH, \$4.

*In Their Own Words*, 12 min. slideshow/tape, 1982.

Drawings by refugee children and narrative by a school teacher in the camp. Available AFSC, \$10.00.

*Seeds of Revolution*, 30 min., 16mm, 1980.

A provocative documentary about hunger, land reform, multinational agribusiness and the military in Honduras. Follows a worker-controlled cooperative as it became a symbol of hope throughout Central America for agrarian reform. Available from: MCC; HIC.

## NICARAGUA

*Nicaragua: The Hopeful Revolution*, 20 min., filmstrip, 1980.

Traces events which led up to the resurrection and compares the revolution in Nicaragua to the American revolution. Available from CROP, nc.

*Nicaragua: Report from the Front*, 32 min., 16 mm., 1983.

Documentary on U.S. foreign policy as it is played out on the Nicaraguan-Honduran border. Actual filming with contras and Nicaraguan military. Available from CROP, nc.

*Thank God and the Revolution*, 50 min., 16 mm. 1981.

Compares Christian ideals and practices with those of the revolution. The interviewees—ranging from an American nun living in Nicaragua to leading government officials—stress the similarity between revolutionary and Christian values. Available from: APH, \$8. Oxfam, \$30.

*In Nicaragua: Where Everybody's Learning*, 20 min. side/tape, 1984.

This slide set for grade school children looks at the new school system in Nicaragua. Also, it introduces a school supplies material aids program. Available from: AFSC, \$25.

*Nicaragua: The Other Invasion*, 16 mm. and videotape, 30 min. 1984.

Documentary on the changes in health care with the revolution. Emphasis on the east coast. Available from APH, \$8.

## ADDRESSES

American Friends Service Committee (AFSC), Rm. 370, 407 So. Dearborn, Chicago, IL 60605.

Augsburg Publishing House (APH), Audio-visual Dept., P.O. 1209, Mpls., MN 55440.

CROP, Church World Service, P.O. Box 968, Elkhart, Ind. 46515, no charge except mailing costs.

Honduras Information Center (HIC), 1151 Mass. Ave., Cambridge, MA 02138.

Mennonite Central Committee (MCC), 21 South 12th St., Akron, PA 17501.

Oxfam-America (Oxfam), 115 Broadway Ave., Boston, MA 02116.

The Resource Center (RC), P.O. Box 4726, Albuquerque, NM 87196.

## TIPS: USING FILMS FOR ORGANIZING AND EDUCATING ON CENTRAL AMERICA

(Reprinted with permission from: Media Network, 108 West 13th Street, New York, NY 10011, 212-620-0877.)

(The Media Network is an organization which supports alternative films for grassroots organizing and education.)

Anyone who has ever used a good film, videotape, or slideshow can attest to media's ability to actively engage an audience, stimulate thought, educate, and inspire. Films can bring together events, ideas and experiences in a dramatic way that leaves a lasting impression. They can provide a common experience for a diverse group, spark interest in an issue, and provide a catalyst for discussion and action.

However, no film can effect change on its own. Films need to be placed in a context and audiences need encouragement to take their first impressions further. Planning a discussion after a film showing provides people with an opportunity to analyze or criticize what they've seen, have their questions answered, and explore possibilities for action.

Here are some tips to help in putting together a successful, dynamic event:

In working with organized groups to set up film programs, it is crucial to sit down with representatives of any group beforehand to figure out the audience's needs, the goals of the event, and possible program options. Many groups will not have the issue that is being addressed as their primary focus, while others will be unfamiliar with the issues, or will not automatically share the film's point of view. Plan programs to fit the interests and experience of each group, whether it's a church group that might decide to offer sanctuary to refugees, a high school class studying US history, or a neighborhood meeting called to urge local



residents to support an end to US aid to military dictatorships.

Many of the films in this guide are available from secondary sources in addition to their commercial distributors. This guide contains a list of low-cost film libraries that carry some films on Central America (see page 13). But there are many others across the country that also have small film collections available on a local basis. If you are operating on a low budget, check to see if a local university, public library, church group, or solidarity group has a copy of the film you want.

Depending on the audience you are trying to reach, it may be important to exercise some care in choosing a location for your program. One group in Santa Rosa, California, which aims to reach new audiences, emphasizes that its programs have been most successful when held in a neutral or public setting, like a library. Remember that an auditorium in which seats are fastened to the floor is not conducive to group discussions, although it is adequate for a question-and-answer format.

Every film has its own point of view. Each one deals with some aspects of an issue but leaves out others. You may disagree with certain parts of it, or think some elements are inadequately stressed. With things in Central America changing constantly, almost any film will need to be brought up to date. Without fail, the person who leads the discussion at your program should see the film beforehand in order to plan questions that will stimulate a dynamic discussion, and to be prepared for the audience's reactions. Many potential disasters have been averted by previewing films.

Begin the program with an introduction that not only explains who you are, but that also notes some of the strong points or limitations of the film you are about to show, or that sets up a connection between the film and the circumstances of the audience's lives. Even a bad film can be saved by an introduction that poses a provocative question, focuses on one good aspect, or posits the film as an example of a way of thinking that can be challenged. Placing the film in a context makes it easier for the audience to focus its reactions afterwards. If a discussion after the film is not possible, a good introduction can at least direct the audience's attention during the film itself.

Make sure to designate a discussion leader or moderator for your program who will encourage active participation and keep the discussion focused.

As a discussion leader, when the film is over, start by referring directly to the film and involving the audience directly. Useful questions are: "What struck you most in the film? What is your first reaction to the film's content?" Many of the films on Central America are highly emotional. Allow people in the audience to express their emotions. Draw out their arguments, and ask whether they agree or disagree. Be prepared to take people's immediate reactions one step further. From here you can proceed to ask the questions that will help you move toward your program's goals.

It is always useful to have back-up material on hand with facts and figures for people who have questions or want to know more. It is also a good idea to have flyers or other written information that will tell people how to get involved, where to go next, and what they can do to help.

Afterwards ask the audience for evaluations of the program and suggestions for future events.

#### ATTACHMENT 6

##### PERIODICALS TO BE FAMILIAR WITH

**Amnesty International Newsletter.** Address: Amnesty International Publications, 1 Easton Street, London WC1X 8DJ, United Kingdom. Rate: \$12.50/yr. (monthly). Amnesty International has an international reputation for its work with human rights. Their newsletter frequently has articles on Latin American governments which are guilty of human rights violations.

**A Voice of the Voiceless.** Publication of MICAH (Michigan Interchurch Committee on Central American Human Rights), 1812 Mt. Elliott, Detroit, MI 48207. Rate: Donation Requested. Coverage includes current events in Central America, U.S. policy, etc.

**Barricada International.** International Weekly newspaper of the Sandanista National Liberation Front in Nicaragua. Address: Barricada International, Apartado 576, Managua, Nicaragua, Central America. Rate: \$24/yr. (weekly) Request English or Spanish Edition.

**CALC Report.** (Clergy and Laity Concerned). Address: 198 Broadway, New York, NY 10038. Rate: membership \$20/yr. (\$7/yr. for students and limited income). Clergy and Laity Concerned is a religiously based network of people working together on issues of peace and justice. The CALC Report reviews international and domestic news, and carries organizing notes and resource lists as well. They frequently have stories related to Latin America and U.S. foreign policy in this region.

**Coalition Close-Up.** Address: Coalition for a New Foreign and Military Policy, 120 Maryland Ave. N.E., Washington, DC 20002. Rate: \$20/yr. (quarterly bulletin and other materials), membership. The Coalition unites 46 national religious, labor, peace, research and social action organizations working for a peaceful, non-interventionist and demilitarized U.S. Foreign Policy. Publishes background resources, action guides, voting records and legislative updates.

**COSCA.** (Committee of Solidarity: Central America). Address: 2706 Gaines St., Davenport, IA 52804. Rate: \$12/yr. (monthly newspaper). Contains Central American Chronicle which notes day by day occurrences in Central America, and in Washington with regard to U.S. Policy.

**Envio.** Publication of the Instituto Histórico Centroamericano. Address: Central American Historical Institute, Intercultural Center, Georgetown University, Washington, DC 20057. Rate: \$25/yr. (monthly) Request English or Spanish Edition. Provides excellent analysis of the current situation in Nicaragua.

**GIST.** A quick reference aid on U.S. Foreign Relations published by the Bureau of Public Affairs, U.S. State Department, Washington, DC 20520. (You can request the Latin American Edition). No Charge.

**Honduras Update.** Honduran Information Center, 1151 Massachusetts Ave., Cambridge, MA 02138; (617) 497-0150. Rate: \$12/yr. (monthly). Summarizes and analyzes news on Honduras drawn from a variety of sources, many of which are not widely available in the U.S.

**Institute for Religion and Democracy Newsletter.** A project of The Foundation for Democratic Education, Inc. which sponsors various educational projects in support of democratic values and institutions. Address: 1000 16th St. NW, Suite LL50, Washington, DC 20036. (202) 822-8627. Rate: \$25/yr. (membership), \$15/yr. subscription only.

**Inter-Religious Task Force on El Salvador and Central America.** (IRTF). Address: 475

Riverside Drive, New York, NY 10115. (212) 870-3383. Provides information, coordination and organizational skills toward shaping a foreign policy based on peace and justice. Works with locally organized committees and churches and prepares background material, legislative alerts, worship aids. Newsletter is \$15/yr. (monthly); with action alerts, \$20/yr.

**Latinamerica Press.** (Spanish Edition: *Noticias Aliadas*). Address: Latinamerica Press, Apartado 5594, Lima 100, Peru. Rate: \$40/yr. (a weekly news report). Latin America Press is a news and documentation service working to help fill the information gap that continues to hide the real Latin America. It offers good information on the role of the church in Latin America.

**MesoAmerica.** Address: MesoAmerica, Institute for Central American Studies, Apdo. 300, 1002 San Jose, Costa Rica. Rate: \$30/yr. (students, \$20/yr.) MesoAmerica's regular coverage includes economics and politics, as well as the human realities of the people of Central America, all within the perspective of the particular histories of these countries.

**NACLA.** (North American Congress on Latin America). Address: 151 W. 19th St. (9th floor), New York, NY 10011. Rate: \$18/yr. (bi-monthly). Focuses on a particular Latin American country each time. In addition, the magazine contains a great deal of interpretive material designed to help the reader better understand the socio-political themes that are within the current events relevant to each country.

**National Catholic Reporter.** Address: National Catholic Reporter Publishing Company Inc., P.O. Box 281, Kansas City, MO 64141 (or call 1-800-821-7926 toll-free). Rate: \$23/yr. (weekly Newspaper). National Catholic Reporter is an independent Catholic newsweekly. Aside from having excellent coverage of the Catholic Church, it consistently has articles about countries in Latin America and other Third World countries. They have staff writers contributing regularly from all parts of the world.

**New Internationalist.** Address: 113 Atlantic Ave., Brooklyn, NY 11201. Rate: \$22/yr.; \$39/2 yrs.; \$54/3 yrs. The New Internationalist exists to report on the issues of world poverty and focus attention on the unjust relationship between rich and poor worlds; to debate and campaign for the radical changes necessary within and between nations if the basic needs of all are to be met and to bring to life the people, the ideas and the action in the fight for world development.

**Nicaragua Update.** Publication of NICA (Nicaragua Interfaith Committee for Action), 942 Market St., Room 709, San Francisco CA 94102. Rate: \$10 donation requested. Articles on Nicaragua and Central America with particular emphasis on church and religious issues.

**Update: Latin America.** Address: Washington Office on Latin America, 110 Maryland Ave., NE, Washington, DC 20002. (202) 544-8045. Rate: \$14/yr. (bi-monthly). The Washington Office on Latin America was established in 1974 by a coalition of religious and academic groups with a profound concern for the economic, political and social conditions in Latin America. The office serves as a liaison between Latin Americans and the U.S. institutions affecting foreign policy, such as churches, the press, non-governmental organizations and the executive & legislative branches of the government. Update is their bi-monthly publication.

(Compiled July, 1984, Center for Global Service and Education. We subscribe to almost all of these periodicals and have them available for reading in our lounge. Feel free to stop by and browse! Phone: 330-1159).

#### ATTACHMENT 7

##### REGIONAL NETWORK

As the number of travel seminar participants grows and expands throughout all areas of the United States, regional clusters are being developed. At present, there are 12 clusters in 11 states. The cluster coordinators are listed on the reverse side. New clusters will be developed in Pennsylvania, Illinois and Nebraska.

Each cluster will take on a style of its own, depending on the coordinator, the individuals and the geography of the area. Some things for which you can depend on your cluster coordinator are:

Names of other travel seminar participants in your region;

Names of addresses of organizations in your area which focus on Central America and Mexico;

Specific contingency plans for your area in case of invasion;

Help with resources such as current publications and audiovisuals; and

Support for your "re-entry" and the follow-up work you may do.

Some clusters may gather together for further study and to listen to updates if there are recently returned alumnae. Some may want to sponsor events; others may participate in action. One cluster is setting up a speaker's bureau and is going to churches and community organizations to solicit speaking engagements.

The coordinators are there to help this network grow, but are not assumed to be the only ones doing this. Everyone who is interested needs to take initiative. The coordinators may try to contact all who are in their cluster. If you are in a cluster and have not been contacted, call the coordinator yourself. If you are in an area with no coordinator and would be interested in this important work, please let me know.

Please use the network. It has a center in Minneapolis as well as with all of you. It will be what we make it to be. If you have suggestions or requests, call Meredith Dregni, 612-330-1791.

##### TRAVEL SEMINAR PARTICIPANTS CLUSTER COORDINATORS

North Dakota: Merri Sue Heltan, 37 North Terrace, Fargo, ND 58102, 701-232-2528.

Oklahoma: Talitha Stark, 2909 Hollows, Bethany, OK 73008, 405-495-1605.

Colorado: David Barber, 815 E. 16th Street, Loveland, CO 80537, 303-667-1836.

Michigan: Bill Dexheimer, 1524 20th Street, Detroit, MI 48216, 313-963-7879.

Ohio: Dennis Highben, 236 4th Street NE, Navarre, OH 44662, 216-879-2320.

Arizona: Audrey Elliott, 6110 N. 52nd Place, Paradise Valley, AZ 85253, 602-840-4632.

So. California: Nancy Vernon Kelley, 805 E. Orange Grove Blvd., Pasadena, CA 91104, 818-794-5659.

No. California: Dan Garnass, 1798 Scenic Ave. #392, Berkeley, CA 94709, 415-843-8439.

Iowa: Julius Dennison, Box 178, Elkader, IA 52043, 319-589-0326.

Texas: Cynthia Caruso, P.O. Box 92, Com-fort, TX 78013, w. 512-995-3664, h. 512-995-3163.

Wisconsin: Audrey Lukasak, 5526 River-view, Waunakee, WI 53597, 608-849-7748.

Florida: Margaret Gula, 3201 NW 112th Ave., Coral Springs, FL 33065, 305-752-5298.

#### ATTACHMENT 8

##### PUBLIC HEARING ANNOUNCEMENT

The Center for Global Service and Education, in conjunction with the Central American Resource Center and the other organizations listed below, invites you to exercise your democratic privileges at a

##### PUBLIC HEARING ON UNITED STATES POLICY TOWARD NICARAGUA

This unique opportunity will be held from 10:00 a.m. to 12:30 on March 9, 1985 in room 112 at the Minnesota Capitol.

Minnesotans are urged to enter into a dialogue with representatives of our national government. Senators DURENBERGER and BOSCHWITZ and Congressmen WEBER, SIKORSKI, SABO, VENTO, FRENZEL, STANGELAND, PENNY, and OBERSTAR have been invited to listen to Minnesota citizens and then to make five minute responses. This information should help them make crucial decisions on U.S. policy, such as renewal of the covert aid program.

All Minnesotans who have traveled to or lived in Nicaragua are requested to testify and to bring verbal and written accounts about their first person experience and how this has shaped their opinion about United States policy toward Nicaragua. Verbal testimonies of one to five minutes will be given. A reservation for time must be made by March 6 by calling (612) 330-1791. Eleven copies of written testimony are requested; one for each representative and one for the record of the hearing.

The hearing is open to the public. Child care will be available for a small fee. For reservations, call or write Rachel Lord, 2323 Talmadge Ave. S.E., Minneapolis, MN 55414, (612) 379-8868. For additional information on the hearing, call Nancy Jones, (612) 938-9043.

##### SCHEDULE FOR MARCH 9

9:30 am—Informal Gathering, coffee and rolls available.

10:00 am—Public Statements by Minnesota Citizens, by reservation only.

11:00 am—Response by Minnesota Senators and Representatives.

12:00—Open time for questions and statements.

Co-sponsors and endorsers of the Public Hearings are:

Inter-Religious Committee on Central America.

Board of Church and Society of the United Methodist Church.

Women's International League for Peace and Freedom.

Nicaragua Solidarity Committee.

Friends for a Nonviolent World.

Bemidji Friends for a Nonviolent World/Central America Group.

Minnesota Clergy and Laity Concerned.

Women Against Military Madness.

MSTAR (Minnesota Students Together in Action and Resistance).

Bishop Lowell Erdahl, Southeast Minnesota District, American Lutheran Church.

Central America Week Coalition.

Central America Working Group.

Project Minnesota/Leon.

Brainerd Ad Hoc Committee on Central America.

Northfield Peace Network.

Rochester Study Group on Central America.

Witness for Peace.

The Rt. Rev. Robert M. Anderson, Episcopal Bishop of Minnesota.

Fargo/Moorhead Citizens in Solidarity with the Central American People.

St. Cloud Area Interfaith Committee on Central America.

Northern Sun Alliance.

Minnesota Trade Union Coalition for Peace.

National Chicano Alliance.

Minnesota Fellowship of Reconciliation.

Church and Society Committee, Presbytery of the Twin Cities Area.

Bob Killeen, Subregional Director, UAW.

Mr. Speaker, I commend this report to my colleagues. If they are seriously interested in casting an objective vote on the question of aid to the democratic resistance forces in Nicaragua, they need to know more about the nature of the trips being sponsored by many American church groups and non-church-related groups to Central America. This church group, this trip which was reported to me by these two women, is typical, I believe, of many of the church organization tours through that part of the country. As I said, a great concern about these trips was expressed to Congressman DORNAN and myself by Archbishop Obando y Bravo in Managua, as well as many other people in Nicaragua and throughout the Central American region. In a later special order I intend to spend more time talking about their observations directly.

Mr. Speaker, I yield back the balance of my time.

#### COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON THE BUDGET REGARDING CURRENT LEVEL OF SPENDING AND REVENUES FOR FISCAL YEAR 1985

(Mr. DERRICK asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

● Mr. DERRICK. Mr. Speaker, pursuant to the procedures of the Committee on the Budget section 311(b) of the Congressional Budget Act of 1974, and as chairman of the Budget Process Task Force, I am submitting the official letter to the Speaker advising him of the current level of spending and revenues for fiscal year 1985. As chairman of the Budget Committee's Budget Process Task and Force and on behalf of Chairman WILLIAM H. GRAY III, I intend to submit the current level of spending to the House on the first Wednesday of each month that the House is in session or more often as legislation is ratified. When there have been no changes since the last report to the House, I will submit a letter stating such.

The current level is used to compare enacted spending after the start of a fiscal year with the aggregate ceiling on budget authority, outlays, and revenues established in a second budget resolution and enforced by point of



order pursuant to section 311(a) of the act. The term current level refers to the estimated amount of budget authority, outlays, entitlement authority, and revenues that are available (or will be used) for the full fiscal year in question based only on enacted law.

As with last year, the procedural situation with regard to the spending ceiling is affected this year by section 4(b) of House Concurrent Resolution 280. Enforcement against possible breaches of the spending ceiling under section 311(a) of the Budget Act will not apply where a measure would not cause a committee to exceed its "appropriate allocation" made pursuant to section 302(a) of the Budget Act. In the House, the appropriate 302(a) allocation includes "new discretionary budget authority" and "new entitlement authority" only. It should be noted that under this procedure neither the total level of outlays nor a committee's outlay allocation is considered. This exception is only provided because an automatic budget resolution is in effect and will cease to apply if Congress revises the budget resolution for fiscal year 1985.

The intent of the section 302(a) "discretionary budget authority" and "new entitlement authority" subceiling provided by section 4(b) of the resolution is to protect a committee that has stayed within its own spending allocation—discretionary budget authority and new entitlement authority—from points of order if the total spending ceiling has been breached for reasons outside of its control. The 302(a) allocations to House committees made pursuant to the conference report on House Concurrent Resolution 280 were printed in the CONGRESSIONAL RECORD, September 25, 1984, H. 10190 (H. Rept. 98-1079, page 32).

Since the last filed current level on February 7 (H. 384), three pieces of legislation have affected current level: House Joint Resolution 181, Appropriations for the MX Missile; H.R. 1239, Urgent Supplemental Appropriations for Emergency Famine Relief and Recovery in Africa; and H.R. 1866, Federal Supplemental Compensation Phaseout.

As chairman of the Budget Process Task Force, I intend to keep the House informed regularly on the status of current level.

HON. THOMAS P. O'NEILL, JR.,  
Speaker, U.S. House of Representatives,  
Washington, D.C.

DEAR MR. SPEAKER: On January 30, 1976, the Committee on the Budget outlined the procedure which it had adopted in connection with its responsibilities under Section 311 of the Congressional Budget Act of 1974 to provide estimates of the current level of revenues and spending.

Pursuant to Committee Rule 10, I am herewith transmitting the status report under H. Con. Res. 280, the First Concurrent Resolution on the Budget for Fiscal Year 1985. This report reflects the adopted budget resolution of October 1, 1984, and

the current CBO estimates of budget authority, outlays, and revenues.

As with last year, the procedural situation with regard to the spending ceiling is affected this year by Section 4(b) of H. Con. Res. 280. Enforcement against possible breaches of the spending ceiling under Section 311(a) of the Budget Act will not apply where a measure would not cause a committee to exceed its "appropriate allocation" made pursuant to Section 302(a) of the Budget Act. In the House, the appropriate 302(a) allocation includes "new discretionary budget authority" and "new entitlement authority" only. It should be noted that under this procedure neither the total level of outlays nor a committee's outlay allocation is considered. This exception is only provided because an automatic budget resolution is in effect and will cease to apply if Congress revises the budget resolution for fiscal year 1985.

The intent of the Section 302(a) "discretionary budget authority" and "new entitlement authority" subceiling provided by Section 4(b) of the resolution is to protect a committee that has stayed within its spending allocation—discretionary budget authority and new entitlement authority—from points of order if the total spending ceiling has been breached for reasons outside of its control. The 302(a) allocations to House committees made pursuant to the conference report on House Concurrent Resolution 280 were printed in the CONGRESSIONAL RECORD, September 25, 1984, H. 10190 (H. Rept. 98-1079, page 32).

The attached tables compare actual legislation to each committee's 302(a) allocation of discretionary budget authority and of new entitlement authority.

With best wishes,

Sincerely,

WILLIAM H. GRAY III,  
Chairman.

REPORT TO THE SPEAKER OF THE U.S. HOUSE OF REPRESENTATIVES FROM THE COMMITTEE ON THE BUDGET ON THE STATUS OF THE FISCAL YEAR 1985 CONGRESSIONAL BUDGET ADOPTED IN HOUSE CONCURRENT RESOLUTION 280

REFLECTING COMPLETED ACTION AS OF APRIL 3, 1985

[In millions of dollars]

	Budget authority	Outlays	Revenues
Appropriate Level .....	1,021,350	932,050	750,900
Current Level .....	1,015,965	933,359	750,739
Amount Under Ceilings .....	5,385		
Amount Over Ceilings .....		1,309	
Amount Under Floor .....			161

#### BUDGET AUTHORITY

Any measure providing budget or entitlement authority which is not included in the current level estimate and that exceeds \$5,385 million for fiscal year 1985, if adopted and enacted, would cause the appropriate level of budget authority for that year as set forth in H. Con. Res. 280 to be exceeded.

#### OUTLAYS

Any measure providing budget or entitlement authority which is not included in the current level estimate in outlays for fiscal year 1985, if adopted and enacted, would cause the appropriate level of outlays for that year as set forth in H. Con. Res. 280 to be exceeded.

#### REVENUES

Any measure that would result in a revenue loss for fiscal year 1985, if adopted and

enacted, would cause revenues to be less than the appropriate level for that year as set forth in H. Con. Res. 280.

#### FISCAL YEAR 1985, BUDGET AUTHORITY Comparison of current level and budget resolution allocation by committee

[In millions of dollars]

House Committee:	Amount
Total current level .....	-5,385
Appropriations Committee Discretionary .....	(-4,497)
Authorizing Committee—Discretionary Action:	
Agriculture .....	(-90)
Armed Services .....	(+276)
Banking, Finance, and Urban Affairs .....	(...)
District of Columbia .....	(*)
Education and Labor .....	(...)
Energy and Commerce .....	(-4)
Foreign Affairs .....	(...)
Government Operations .....	(...)
House Administration .....	(...)
Interior and Insular Affairs .....	(+2)
Judiciary .....	(+50)
Merchant Marine and Fisheries .....	(+15)
Post Office and Civil Service .....	(+1)
Public Works and Transportation .....	(-713)
Science and Technology .....	(...)
Veterans' Affairs .....	(...)
Ways and Means .....	(+50)

\* Committees are over (+) or under (-) their 302(a) allocation.

\* Less than \$1 million.

#### FISCAL YEAR 1985 NEW ENTITLEMENT AUTHORITY

#### COMPARISON OF CURRENT LEVEL AND BUDGET RESOLUTION ALLOCATION BY COMMITTEE

[In millions of dollars]

Committee	Allocation	Reported	Enacted
Agriculture .....		3,600	
Appropriations .....			
Armed Services .....	1,900	1,500	1,563
Banking, Finance and Urban Affairs .....			
District of Columbia .....		1	1
Education and Labor .....	202	-306	
Energy and Commerce .....		3	4
Foreign Affairs .....			
Government Operations .....			
Interior and Insular Affairs .....		1	1
Judiciary .....			
Merchant Marine and Fisheries .....			
Post Office and Civil Service .....			
Public Works and Transportation .....			
Science and Technology .....			
Small Business .....			
Veterans' Affairs .....	402	503	432
Ways and Means .....	40	254	201

CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, April 4, 1985.

HON. WILLIAM H. GRAY III,  
Chairman, Committee on the Budget, U.S.  
House of Representatives, Washington,  
DC.

DEAR MR. CHAIRMAN: Pursuant to section 308(b) and in aid of section 311(b) of the Congressional Budget Act, this letter and supporting detail provide an up-to-date tabulation of the current levels of new budget authority, estimated outlays and estimated revenues in comparison with the appropriate levels for those items contained in the most recently agreed to concurrent resolution on the 1985 budget (H. Con. Res. 280). This report for fiscal year 1985 is tabulated as of close of business April 3, 1985, and is based on assumptions and estimates consistent with H. Con. Res. 280. A summary of this tabulation is as follows:

(In millions of dollars)

	Budget authority	Outlays	Revenues
Current level	1,015,965	933,359	750,739
1985 Budget Resolution, House Concurrent Resolution 280	1,021,350	932,050	750,900
Current level is:			
Over resolution by		1,309	
Under resolution by	5,385		161

Since my last report the Congress has cleared Appropriations for the MX Missile, H.J. Res. 181, urgent supplemental appropriations for Emergency Famine Relief and Recovery in Africa, H.R. 1239, and the Federal Supplemental Compensation Phaseout Act, H.R. 1866.

With best wishes,  
Sincerely,

RUDOLPH G. PENNER.

PARLIAMENTARIAN STATUS REPORT HOUSE SUPPORTING  
DETAIL, FISCAL YEAR 1985 AS OF CLOSE OF BUSINESS  
APRIL 3, 1985

(In millions of dollars)

	Budget authority	Outlays
I. Enacted:		
Permanent appropriations and trust funds	651,994	579,636
Enacted previous session	543,411	534,273
Offsetting receipts	-184,669	-184,669
Enacted this session		
Total enacted	1,010,735	929,240
II. Entitlement authority and other mandatory items requiring further appropriation action:		
Assistance payments	23	23
Black Lung trust fund	25	25
Child support enforcement	82	82
Civilian agency pay raise allowance	777	803
Coast Guard pay raise allowance	25	23
Defense pay raise allowance	2,242	2,201
Defense claims	20	3
Family social services	20	20
Medicaid	7	7
Public Health Service officers retirement pay	3	
Range improvements	2	2
Readjustment benefits	163	156
Salaries of judges	5	5
Student loans	498	
Supplemental Security Income	5	
Veterans compensation	389	241
Total	4,286	3,591
III. Continuing resolution authority		
IV. Conference agreements ratified by both Houses:		
Appropriations for the MX missile (H.J. Res. 181)		79
Famine relief and recovery in Africa (H.R. 1239)	784	289
Federal supplemental compensation phaseout (H.R. 1866)	160	160
Total	944	528
Total, current level as of April 3, 1985	1,015,965	933,359
1985 Budget Resolution, House Concurrent Resolution 280	1,021,350	932,050
Amount remaining:		
Over ceiling		1,309
Under ceiling	5,385	

Note.—Detail may not add due to rounding.●

### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LELAND (at the request of Mr. WRIGHT), for today, on account of official business.

Mr. ACKERMAN (at the request of Mr. WRIGHT), for April 16 and 17, on account of official business.

Mr. BILIRAKIS (at the request of Mr. MICHEL), for today, on account of official business.

### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. MEYERS of Kansas) to revise and extend their remarks and include extraneous material:)

Mr. PASHAYAN, for 60 minutes, April 24.

Mr. KOLBE, for 60 minutes, April 17.

Mr. LUNGREN, for 5 minutes, April 17.

Mr. STRANG, for 30 minutes, today.

Mr. MADIGAN, for 10 minutes, today.

Mr. EMERSON, for 60 minutes, April 24.

Mr. WALKER, for 60 minutes, today.

Mr. DORNAN of California, for 60 minutes, April 18.

Mr. RUDD, for 60 minutes, April 23.

Mr. WEBER, for 60 minutes, today.

Mr. WEBER, for 60 minutes, April 17.

Mr. WEBER, for 60 minutes, April 18.

(The following Members (at the request of Mr. COOPER) to revise and extend their remarks and include extraneous material:)

Mr. MATSUI, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. HAYES, for 5 minutes, today.

Mr. FRANK, for 60 minutes, April 17.

Mr. MARTINEZ, for 5 minutes, April 18.

### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. MEYERS) and to include extraneous matter:)

Mr. GINGRICH.

Mr. COURTER in two instances.

Mr. LENT in two instances.

Mr. DANNEMEYER.

Mr. MACK.

Mr. CLINGER.

Mr. WOLF.

Mr. PORTER.

Mr. GEKAS in two instances.

Mr. BROOMFIELD in two instances.

Mr. PURSELL.

Mr. GREGG.

Mr. MCGRATH.

Mr. GROTEBERG.

Mr. BATEMAN in two instances.

Mr. MICHEL.

Mr. LEWIS of Florida.

(The following Members (at the request of Mr. COOPER) and to include extraneous matter:)

Mr. FUSTER.

Mr. TORRICELLI.

Mr. OBERSTAR.

Mr. UDALL.

Mr. ASPIN.

Mr. FLORIO.

Mr. BARNES in two instances.

Mr. HAMILTON.

Mr. KANJORSKI.

Mr. FORD of Michigan.

Mr. GUARINI.

Mr. YATRON in two instances.

Mr. FRANK.

Mr. BROOKS.

Mr. ACKERMAN.

Mr. FASCELL in two instances.

Mr. COELHO.

Mr. SOLARZ in four instances.

Mr. MILLER of California.

Mr. KOLTER.

Mr. HALL of Ohio.

### A SENATE BILL AND JOINT RESOLUTIONS REFERRED

A bill and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 661. An act entitled the "George Milligan Control Tower"; to the Committee on Public Works and Transportation.

S.J. Res. 47. Joint Resolution designating the week beginning November 10, 1985, as "National Woman Veterans Recognition Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 52. Joint Resolution to designate the month of April 1985 as "National School Library Month"; to the Committee on Post Office and Civil Service.

S.J. Res. 63. Joint Resolution to designate the week of April 21, 1985, through April 27, 1985, as "National DES Awareness Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 67. Joint Resolution to designate the week of October 6, 1985, through October 12, 1985, as "Mental Illness Awareness Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 90. Joint Resolution commemorating the 75th anniversary of the Boy Scouts of America; to the Committee on Post Office and Civil Service.

S.J. Res. 94. Joint Resolution to designate the week beginning May 12, 1985, as "National Digestive Diseases Awareness Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 109. Joint Resolution to designate the week of April 14, 1985, as "Crime Victims Week"; to the Committee on Post Office and Civil Service.

### ADJOURNMENT

Mr. WEBER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 17, 1985, at 12 o'clock noon.

### OATH OF OFFICE, MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:



"I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on

which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 99th Congress, pursuant to the provisions of 2 U.S.C. 25:

CATHY (Mrs. Gillis) LONG, Eighth Louisiana.

# EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports and amended reports of various House committees and delegations traveling under authorizations from the Speaker concerning the foreign currencies and U.S. dollars utilized by them during the third and fourth quarters of calendar year 1984 and the first quarter of calendar year 1985.

## AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE AND TECHNOLOGY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 1984

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Fuqua	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Winn	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Lewis	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Hanson	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
	9/6	9/10	United States				2,147.93			2,147.93	
	9/10	9/11	England	423.36	584.00	128.37	166.21	1.87	2.42	553.60	716.63
	9/11	9/11	Norway	919.60	109.00		481.00			919.60	590.00
	9/11	9/11	England								
Tate	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Rodgers	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Smith	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Taylor	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Dugan	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Kripowicz	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Kopp	9/6	9/5	United States				1,073.97			1,073.97	
	9/10	9/10	England	423.36	548.00	128.37	166.21	1.87	2.42	553.60	716.63
	9/11	9/11	Norway	919.60	109.00		481.00			919.60	590.00
	9/11	9/11	England								
	9/15	9/15	France	5,045.04	546.00		68.00		12.00	5,045.04	626.00
	9/15	9/15	United States			4,210	454.15			4,210	454.15
Branscome	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Harvey	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Holmfeld	9/6	9/5	United States				2,147.93			2,147.93	
	9/10	9/10	England	423.36	548.00	128.37	166.21	1.87	2.42	553.60	716.63
	9/11	9/11	Norway	919.60	109.00		481.00			919.60	590.00
	9/11	9/11	England								
Stanford	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Hicks, Jr.	9/6	9/5	United States				2,147.93			2,147.93	
	9/11	9/11	England	529.20	685.00	128.37	166.21	1.87	2.42	659.44	853.63
Committee total	9/11		United States		11,422.00		37,917.43		50.72		49,390.15

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DON FUQUA, Chairman, Mar. 14, 1985.

## AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY AND SEPT. 30, 1984

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Barber B. Conable	8/18	8/19	Portugal				14.83		223.54		238.37
Hon. Thomas J. Downey	8/18	8/19	Portugal				14.83		223.54		238.37
Hon. Bill Frenzel	8/18	8/19	Portugal				14.83		223.54		238.37
Hon. Sam M. Gibbons	8/18	8/19	Portugal				14.83		223.54		238.37

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY AND SEPT. 30, 1984—Continued

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Frank J. Guarini.....	8/18	8/19	Portugal				14.83		223.54		238.37
Hon. Richard T. Schulze.....	8/18	8/19	Portugal				14.83		223.54		238.37
Hon. William M. Thomas.....	8/18	8/19	Portugal				14.83		223.54		238.37
Thelma J. Askey.....	8/18	8/19	Portugal				14.83		223.54		238.37
Franklin C. Phifer.....	8/18	8/19	Portugal				14.83		223.54		238.37
Graciela P. Sullivan.....	8/18	8/19	Portugal				14.83		223.54		238.37
Committee total.....							148.30		2,235.40		2,383.70

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DAN ROSTENKOWSKI, Chairman, Mar. 15, 1985.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE POST OFFICE AND CIVIL SERVICE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1984

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. William D. Ford.....	11/20	11/24	Egypt		585.00						585.00
	11/24	11/27	Italy	430,560	230.00	295,243	155,555				385,555
Hon. William (Bill) Clay.....	11/24	11/27	Italy	645,840	345.00	295,243	155,555				500,555
Committee total.....					1,160.00		311.11				1,471.11

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM D. FORD, Chairman, Mar. 28, 1985.

AMENDED REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1984

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Tony Hall.....	11/07	11/13	Addis Ababa	768.49	375.00					768.49	375.00
	11/13	11/14	Rome	149,650	82.00					149,650	82.00
Commercial transportation.....							4,380.00				4,380.00
Committee total.....					457.00		4,380.00				4,837.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CLAUDE PEPPER, Chairman, Mar. 20, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 1984

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Peter W. Rodino, Jr., MC.....	11/9	11/18	Italy		1,040.00		757.87		199.47		1,997.34
	11/18	11/21	Switzerland		432.00		21.70				453.70
Military transportation.....							10,445.82				10,445.82
Hamilton Fish, Jr., MC.....	11/9	11/18	Italy		1,040.00		757.87		199.47		1,997.34
	11/18	11/21	Switzerland		432.00		21.70				453.70
Military transportation.....							10,445.82				10,445.82
William J. Hughes, MC.....	11/9	11/18	Italy		1,040.00		757.87		199.47		1,997.34
	11/18	11/21	Switzerland		432.00		21.70				453.70
Military transportation.....							10,445.82				10,445.82
Edward F. Feighan, MC.....	11/9	11/18	Italy		1,040.00		757.87		199.47		1,997.34
	11/18	11/21	Switzerland		432.00		21.70				453.70
Military transportation.....							10,445.82				10,445.82
Garner J. Cline, staff.....	11/9	11/18	Italy		1,040.00		757.87		199.47		1,997.34
	11/18	11/21	Switzerland		432.00		21.70				453.70
Military transportation.....							10,445.82				10,445.82
Deborah Leavy, staff.....	11/25	12/2	France		833.00		30.64				863.64
Commercial transportation.....							1,413.00				1,413.00



Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Bruce Morrison, MC	11/26	12/1	France		595.00						595.00
Commercial transportation							1,419.82				1,419.82
Patricia Schroeder, MC	12/6	12/12	Turkey		328.03				9.72		483.96
	12/12	12/15	Bulgaria		350.00						350.00
Commercial transportation							1,543.00				1,543.00
Don Edwards, MC	12/9	12/12	Turkey		328.03				9.72		483.96
	12/12	12/15	Bulgaria		350.00						350.00
	12/16	12/16	Greece		108.00						108.00
	12/16	12/21	Israel		665.00		477.75				1,142.75
Commercial transportation							3,053.40				3,053.40
James F. Sensenbrenner, Jr., MC	12/9	12/12	Turkey		328.03				9.72		483.96
	12/12	12/15	Bulgaria		350.00						350.00
	12/16	12/16	Greece		108.00						108.00
	12/16	12/21	Israel		665.00		477.75				1,142.75
Commercial transportation							3,511.36				3,511.36
Philip Kiko, staff	12/9	12/12	Turkey		328.03				9.72		483.96
	12/12	12/15	Bulgaria		350.00						350.00
	12/16	12/16	Greece		108.00						108.00
	12/16	12/21	Israel		665.00		477.75				1,142.75
Commercial transportation							3,053.40				3,053.40
Catherine LeRoy, staff	12/9	12/12	Turkey		328.03				9.72		483.96
	12/12	12/15	Bulgaria		350.00						350.00
	12/16	12/16	Greece		108.00						108.00
	12/16	12/23	Israel		665.00		477.75				1,142.75
Commercial transportation							3,164.40				3,164.40
Committee total					15,270.15		75,958.02		1,045.95		92,274.12

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

PETER W. RODINO, JR., Chairman.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Claude Pepper	1/05	1/08	Israel		399.00				566.28		965.28
	1/08	1/11	Egypt		246.00				304.81		550.81
	1/11	1/15	Greece		540.00				80.66		620.66
	1/15	1/18	Spain		327.00				197.51		524.51
Military transportation							8,817.30				8,817.30
Total					1,512.00		8,817.30		1,149.26		11,478.56
Hon. Tony Beilenson	1/05	1/08	Israel		399.00				566.28		965.28
	1/08	1/11	Egypt		246.00				304.81		550.81
	1/11	1/15	Greece		540.00				80.66		620.66
	1/15	1/18	Spain		327.00				197.51		524.51
Military transportation							8,817.30				8,817.30
Total					1,512.00		8,817.30		1,149.26		11,478.56
Cynthia Brock-Smith	1/05	1/08	Israel		399.00				566.28		965.28
	1/08	1/11	Egypt		246.00				304.81		550.81
	1/11	1/15	Greece		540.00				80.66		620.66
	1/15	1/18	Spain		327.00				197.51		524.51
Military transportation							8,817.30				8,817.30
Total					1,512.00		8,817.30		1,149.26		11,478.56
Trevia A. Dean	1/05	1/08	Israel		399.00				566.28		965.28
	1/08	1/11	Egypt		246.00				304.81		550.81
	1/11	1/15	Greece		540.00				80.66		620.66
	1/15	1/18	Spain		327.00				197.51		524.51
Military transportation							8,817.30				8,817.30
Total					1,512.00		8,817.30		1,149.26		11,478.56
Albert A. Sayers, Jr.	1/05	1/08	Israel		399.00				566.28		965.28
	1/08	1/11	Egypt		246.00				304.81		550.81
	1/11	1/15	Greece		540.00				80.66		620.66
	1/15	1/18	Spain		327.00				197.51		524.51
Military transportation							8,817.30				8,817.30
Total					1,512.00		8,817.30		1,149.26		11,478.56
Leanita Shelby	1/05	1/08	Israel		399.00				566.28		965.28
	1/08	1/11	Egypt		246.00				304.81		550.81
	1/11	1/15	Greece		540.00				80.66		620.66
	1/15	1/18	Spain		327.00				197.51		524.51
Military transportation							8,817.30				8,817.30
Total					1,512.00		8,817.30		1,149.26		11,478.56
Thomas J. Spulak	1/05	1/08	Israel		399.00				566.28		965.28
	1/08	1/11	Egypt		246.00				304.81		550.81
	1/11	1/15	Greece		540.00				80.66		620.66
	1/15	1/18	Spain		327.00				197.51		524.51
Military transportation							8,817.30				8,817.30
Total					1,512.00		8,817.30		1,149.26		11,478.56

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CLAUDE PEPPER, Chairman, Mar. 20, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE POST OFFICE AND CIVIL SERVICE, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 1985

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Hon. Mary Rose Oaker	1/8	1/16	Japan	233,680	920.00						920.00
Commercial transportation							1,995.00				1,995.00
Joe Grimes	1/8	1/16	Japan	233,680	920.00						920.00
Commercial transportation							1,995.00				1,995.00
Committee total					1,840.00		3,990.00				5,830.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

WILLIAM D. FORD, Chairman, Apr. 3, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, FRANCES CAMPBELL, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 4 AND JAN. 18, 1985

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Frances Campbell	1/5	1/8	Tel Aviv	133			<sup>3</sup> 5,383.35				
	1/8	1/10	Egypt	123							
	1/10	1/15	Greece	108							
	1/15	1/18	Spain	109							

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Pro rated share, total cost for 18 in party, \$96,900.30.

FRANCES CAMPBELL, Mar. 7, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION ENGLAND AND ISRAEL, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 7 AND FEB. 18, 1985

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Low		2/7	United States				1,418.38				
	2/8	2/10	England	311.40	348.00						348.00
	2/10	2/18	Israel		614.00						614.00
	2/18		United States				474.00				474.00
Total					962.00		1,892.38				2,854.38
Woolsey		2/7	United States				2,836.75		(*)		2,836.75
	2/8	2/10	England	311.40	348.00					311.40	348.00
	2/10	2/15	Israel		665.00						665.00
	2/15	2/18	Italy	939,600	464.00					939,600	464.00
	2/18		United States								
Total					1,477.00		2,836.75				4,313.75

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Amended report will be filed as soon as expenses are received from the Department of State.

CHESTER A. WOOLSEY, Apr. 4, 1985.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO PORTUGAL, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 10 AND FEB. 18, 1985

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Tony Coelho, M.C.	2/11	2/18	Portugal		600.00		<sup>3</sup> 975.00		162.00		1,737.00
Owen Luty	2/11	2/18	Portugal		600.00		975.00				1,575.00
Committee total					1,200.00		1,950.00		162.00		3,312.00

<sup>1</sup> Per diem constitutes lodging and meals.

<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

<sup>3</sup> Awaiting additional information from the Department of State. An amended report will be filed when it becomes available.

TONY COELHO, Mar. 20, 1985.



## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HONORABLE DUNCAN HUNTER, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 11 THROUGH FEB. 14, 1985

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Duncan Hunter, M.C.	2/11	2/14	Mexico		375.00		385.00		687.65		1,447.65

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DUNCAN HUNTER, Apr. 5, 1985.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BELGIUM AND AUSTRIA, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 13 AND FEB. 16, 1985

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
Brown, Elliott A.	2/13	2/14	Belgium—Brussels		108.00						108.00
	2/14	2/16	Austria—Vienna		224.00		111.0				335.00
Military transportation	2/13	2/14	Washington, DC/Brussels				1,676.71				1,676.71
Commercial airfare	2/14	2/16	Brussels/Vienna/Washington, DC				1,244.00				1,244.00
Cusack, John T.	2/13	2/14	Belgium		108.00						108.00
	2/14	2/16	Austria		224.00		111.00				335.00
Military transportation	2/13	2/14					1,676.71				1,676.71
Commercial airfare	2/14	2/16					1,249.00				1,249.00
Gilman, Benjamin A.	2/14	2/16	Austria		224.00		111.00				335.00
Commercial airfare	2/14	2/16	Brussels/Vienna/Paris				431.00				431.00
Rangel, Charles B.	2/13	2/14	Belgium		108.00						108.00
	2/14	2/16	Austria		224.00		111.00				335.00
Military transportation	2/13	2/14					1,676.71				1,676.71
Commercial airfare	2/14	2/16					1,249.00				1,249.00
Committee total					1,220.00		9,647.13				10,867.13

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

CHARLES B. RANGEL, Chairman, Mar. 21, 1985.

## REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO SWITZERLAND, U.S. HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 10 AND MAR. 13, 1985

Name of Member or employee	Date		Country	Per diem <sup>1</sup>		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>	Foreign currency	U.S. dollar equivalent or U.S. currency <sup>2</sup>
George Berdes	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
Bill Broomfield	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
Norm Dicks	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
Bill Fife	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
Marjorie Holt	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
Mike Johnson	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
Trent Lott	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
John Mack	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
Bob Michel	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
Jim Moody	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
Esteban Torres	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
Juney Wright	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
Jim Wright	3/11	3/13	Switzerland		324.00		5,357.36				5,681.36
Committee total					4,212.00		69,645.68				73,857.68

<sup>1</sup> Per diem constitutes lodging and meals.<sup>2</sup> If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JIM WRIGHT, Chairman, Apr. 4, 1985.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1028. A letter from the Secretary of Agriculture, transmitting the fiscal year 1984 annual animal welfare enforcement report, pursuant to Public Law 89-544, section 25 (84 Stat. 1565); to the Committee on Agriculture.

1029. A letter from the Secretary of Agriculture, transmitting a draft of proposed

legislation to amend and extend the authorization of the Food Stamp Act of 1977, as amended; to the Committee on Agriculture.

1030. A letter from the Executive Associate Director for Budget and Legislation, Office of Management and Budget, transmitting notification that the appropriation to the Internal Revenue Service for "Investigation, collection and Taxpayer Service" for fiscal year 1985 has been reapportioned on a basis that indicates the necessity for a supplemental estimate of appropriations, pursuant to 31 U.S.C. 1515(b)(2); to the Committee on Appropriations.

1031. A letter from the Executive Associate Director for Budget and Legislation, Office of Management and Budget, transmitting notification that the appropriation to the Financial Management Service [FMS] for "Salaries and Expenses" for fiscal year 1985 has been reapportioned on a basis that indicates the necessity for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 1515(b)(2); to the Committee on Appropriations.

1032. A letter from the Comptroller General of the United States, transmitting a review of the President's fifth special message proposing 226 new rescissions, pursu-

ant to 2 U.S.C. 685 (H. Doc. No. 99-55); to the Committee on Appropriations and ordered to be printed.

1033. A letter from the Comptroller General of the United States, transmitting a review of the President's sixth special message for fiscal year 1985 proposing 16 new rescission proposals, 9 revised rescission proposals, 21 new deferrals of budget authority, and 8 revised deferrals of budget authority, pursuant to 2 U.S.C. 685 (H. Doc. No. 99-56); to the Committee on Appropriations and ordered to be printed.

1034. A letter from the Secretary of Housing and Urban Development, transmitting the Department's quarterly report on HUD-owned multifamily project negotiated sales; to the Committee on Appropriations.

1035. A letter from the Deputy Assistant Secretary of Defense (Administration), transmitting a report of real and personal property held by the Department of Defense as of September 30, 1984, pursuant to 10 U.S.C. 2701(b); to the Committee on Armed Services.

1036. A communication from the President of the United States, transmitting his determination that the authority available to the Export-Import Bank for fiscal year 1985 is more than sufficient to meet the current estimate of the needs of the Bank, pursuant to 12 U.S.C. 635e(a)(2)(A)(ii) (97 Stat. 1257) (July 31, 1945, chapter 341, section 7(a)(2)(A)(ii)) (H. Doc. No. 99-54); to the Committee on Banking, Finance and Urban Affairs and ordered to be printed.

1037. A letter from the Secretary of Housing and Urban Development, transmitting a report entitled, "Report on the Reorganization of the Administration of the Congregate Housing Services Program (CHSP)"; to the Committee on Banking, Finance and Urban Affairs.

1038. A letter from the Director, Office of Dependents Schools, Department of Defense, transmitting the annual test report for school year 1984-85 for the overseas dependents' schools administered by the Department of Defense, pursuant to Public Law 95-561, section 1405(b); to the Committee on Education and Labor.

1039. A letter from the Secretary of Education, transmitting a copy of regulations in connection with final funding priorities for the National Institute of Handicapped Research, pursuant to GEPA, section 431(d)(1) (88 Stat. 567; 90 Stat. 2231; 95 Stat. 453); to the Committee on Education and Labor.

1040. A letter from the Secretary of Education, transmitting a draft of proposed legislation to extend and amend the Higher Education Act of 1965, to establish a financial assistance program emphasizing student self help, to improve access to postsecondary education for the neediest students, to enhance the equity and effectiveness of Federal programs in support of higher education, to improve debt collection activities and default recoveries, to reduce collection costs and program abuse, to increase flexibility and simplify higher education programs, and for other purposes; to the Committee on Education and Labor.

1041. A letter from the Undersecretary, Department of Labor, transmitting a draft of proposed legislation to authorize adequate appropriations for the President's Committee on Employment of the Handicapped; to the Committee on Education and Labor.

1042. A letter from the Assistant Secretary for Legislative and Intergovernmental Affairs, Department of State, transmitting notice that the President has authorized

the furnishing of up to \$5 million in assistance from the emergency refugee and migration assistance fund for unexpected urgent refugee and migration needs of the U.N. High Commissioner for Refugees, the International Committee of the Red Cross, and other agencies, as appropriate, for programs in Africa, pursuant to 22 U.S.C. 287b; to the Committee on Foreign Affairs.

1043. A communication from the President of the United States, transmitting a bi-monthly report on progress toward a negotiated settlement of the Cyprus question, pursuant to 22 U.S.C. 2373(c); to the Committee on Foreign Affairs.

1044. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a) (92 Stat. 993); to the Committee on Foreign Affairs.

1045. A letter from the Assistant Secretary of State for Legislative and Intergovernmental Affairs, transmitting a report of political contributions by Thomas R. Pickering, Ambassador and Extraordinary and Plenipotentiary-elect to Israel, and members of his family, pursuant to Public Law 96-465, section 304(b)(2); to the Committee on Foreign Affairs.

1046. A letter from the Director, Office of Legislative Affairs, Agency for International Development, transmitting an accounting of the amounts obligated and expended in Nicaragua for the period July 1, 1984, to December 31, 1984, from funds made available under section 724(e) of the International Security and Development Cooperation Act of 1981; to the Committee on Foreign Affairs.

1047. A letter from the Director, Office of Management and Budget, transmitting a report on formula approaches to Federal budgeting, pursuant to Public Law 98-369, section 2906 (98 Stat. 1209); to the Committee on Government Operations.

1048. A letter from the Administrator, Health Care Financing Administration, Department of Health and Human Services, transmitting notice of a new Federal records systems, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

1049. A letter from the Chairwoman, U.S. International Trade Commission, transmitting a report of the commission's activities during 1984 under the Government in the Sunshine Act, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

1050. A letter from the Administrator, Federal Aviation Administration, transmitting the Federal Aviation Administration's semiannual report on the effectiveness of the Civil Aviation Security Program covering the period July 1 through December 31, 1984, pursuant to Public Law 85-726, section 315(a) (88 Stat. 415); to the Committee on Public Works and Transportation.

1051. A letter from the Assistant Secretary for Legislative and Intergovernmental Affairs, Department of State, transmitting a report on the extent to which the actions of the Government of Haiti are consistent with the three provisions contained in subsection (b) of the Foreign Assistance and Related Programs Appropriations Act of 1985, pursuant to Public Law 98-473, section 540(c); jointly, to the Committees on Appropriations and Foreign Affairs.

1052. A letter from the Administrator, Agency for International Development, transmitting the Agency's annual report for fiscal year 1984 on equal employment opportunity and recruitment in the Foreign

Service, pursuant to Public Law 96-465, section 105(d); jointly, to the Committees on Foreign Affairs and Post Office and Civil Service.

1053. A letter from the Assistant Secretary for Legislative and Intergovernmental Affairs, Department of State, transmitting a draft of proposed legislation to amend the United States Institute of Peace Act, and for other purposes; jointly, to the Committees on Foreign Affairs and Education and Labor.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MOAKLEY: Committee on Rules. House Resolution 128. Resolution providing for the consideration of H.R. 1617, a bill to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal years 1986 and 1987, and for other purposes, (Rept. No. 99-41). Referred to the House Calendar.

Mr. BEILENSON: Committee on Rules. House Resolution 129. Resolution providing for the consideration of H.R. 1210, a bill to authorize appropriations to the National Science Foundation for the fiscal years 1986 and 1987, and for related purposes (Rept. No. 99-42). Referred to the House Calendar.

Mr. FUQUA: Committee on Science and Technology. H.R. 1617. A bill to authorize appropriations to the Secretary of Commerce for the programs of the National Bureau of Standards for fiscal years 1986 and 1987, and for other purposes; with amendments (Rept. No. 99-43). Referred to the Committee of the Whole House on the State of the Union.

Mr. FUQUA: Committee on Science and Technology. H.R. 1210. A bill to authorize appropriations to the National Science Foundation for the fiscal years 1986 and 1987, and for related purposes; with amendments (Rept. No. 99-44). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FASCELL (for himself and Mr. BROOMFIELD) (by request):

H.R. 2044. A bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations for fiscal year 1985; to the Committee on Foreign Affairs.

H.R. 2045. A bill to amend the Arms Control and Disarmament Act in order to extend the authorization for appropriations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FORD of Tennessee:

H.R. 2046. A bill to amend title XVI of the Social Security Act to provide a special increase (over and above the regular cost-of-living adjustment) in the Federal benefit standard under the Supplemental Security Income Program; to the Committee on Ways and Means.



By Mrs. BENTLEY:

H.R. 2047. A bill to authorize appropriations for the restoration of Fort McHenry; to the Committee on Interior and Insular Affairs.

By Mr. BOSCO:

H.R. 2048. A bill to prohibit temporarily certain hard mineral leasing in the Gorda Ridge Outer Continental Shelf area, to require a report on the effects of such potential leasing, and for other purposes; jointly, to the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries.

By Mr. DELLUMS:

H.R. 2049. A bill to establish a U.S. Health Service to provide high quality health care and to overcome the deficiencies in the present system of health care delivery; jointly, to the Committees on Energy and Commerce; Armed Services; Banking, Finance and Urban Affairs; the District of Columbia; Education and Labor; the Judiciary; Post Office and Civil Service; Veterans' Affairs; and Ways and Means.

By Mr. DYMALLY:

H.R. 2050. A bill to give to the Board of Parole for the District of Columbia exclusive power and authority to make parole determinations concerning prisoners convicted of violating any law of the District of Columbia, or any law of the United States applicable exclusively to the District; to the Committee on the District of Columbia.

H.R. 2051. A bill to change the appointment process for judges of District of Columbia courts, and for other purposes; to the Committee on the District of Columbia.

H.R. 2052. A bill to establish an office of the attorney general for the District of Columbia and to transfer prosecutorial authority for local offenses and custodial responsibility for prisoners convicted of local offenses to the District of Columbia government; to the Committee on the District of Columbia.

By Mr. FRANK:

H.R. 2053. A bill to amend title 10, United States Code, to waive contributions to the military survivor benefit plan in the case of certain persons whose military retired pay is reduced because of an offsetting increase in compensation paid to such persons by the Veterans' Administration due to an increase in disability rating; to the Committee on Armed Services.

H.R. 2054. A bill to amend the Internal Revenue Code of 1954 to exempt from the communications services excise tax telephone facilities designed for individuals who are deaf or hearing impaired; to the Committee on Ways and Means.

H.R. 2055. A bill to amend the Internal Revenue Code to change certain accounting rules related to inventory, and for other purposes; to the Committee on Ways and Means.

H.R. 2056. A bill relating to the duty on certain knives (commonly known as snap blade tools) having movable blades; to the Committee on Ways and Means.

H.R. 2057. A bill entitled: "The Energy Tax Reform Act of 1985"; to the Committee on Ways and Means.

H.R. 2058. A bill to amend chapter 203 of title 18, United States Code, to provide specific law enforcement authority for members of the Federal Protective Service, and for other purposes; jointly, to the Committees on Public Works and Transportation and the Judiciary.

By Mr. LEHMAN of Florida:

H.R. 2059. A bill to provide funds to the State of Florida to acquire certain property in the State of Florida for park and recrea-

tion purposes; to the Committee on Interior and Insular Affairs.

By Mr. LENT:

H.R. 2060. A bill to amend the Internal Revenue Code of 1954 to allow individuals a deduction for commuting expenses incurred on public mass transit; to the Committee on Ways and Means.

By Mr. LUNGREN (for himself, Mr. HYDE, Mr. HANSEN, Mrs. VUCANOVICH, and Mr. KINDNESS):

H.R. 2061. A bill to clarify the meaning of the phrase "program or activity" as applied to educational institutions that are extended Federal financial assistance, and for other purposes; jointly, to the Committees on the Judiciary and Education and Labor.

By Mr. MADIGAN (for himself, Mr. MAZZOLI, Mr. MICHEL, Mr. ROSTENKOWSKI, Mr. NATCHER, Mr. SNYDER, Mr. GRAY of Illinois, Mr. ANNUNZIO, Mr. HYDE, Mr. RUSSO, Mr. HOPKINS, Mr. PORTER, Mr. EVANS of Illinois, Mr. ROGERS, Mr. PERKINS, Mrs. MARTIN of Illinois, Mr. BRUCE, and Mr. GROTEBERG):

H.R. 2062. A bill to grant the consent of the Congress to the Central Midwest Interstate Low-Level Radioactive Waste Compact; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

By Mr. PERKINS:

H.R. 2063. A bill to continue until June 30, 1989, the present exclusion of bicycle component parts which are not reexported from the exemption from the customs laws otherwise available to merchandise in foreign trade zones; to the Committee on Ways and Means.

By Mr. STANGELAND:

H.R. 2064. A bill entitled: the "Modified Agricultural Debt Recovery Act of 1985"; to the Committee on Agriculture.

By Mr. RODINO (for himself, Mr. FISH, Mr. CONYERS, Mr. FRANK, Mr. BERMAN, Mr. BOUCHER, Mr. SCHUMER, Mr. GEKAS, Mr. SWINDALL, and Mr. COBLE):

H.J. Res. 240. Joint resolution to designate the week of April 14, 1985, as "Crime Victims Week"; to the Committee on Post Office and Civil Service.

By Mr. LEWIS of Florida (for himself and Mr. MICA):

H. Con. Res. 117. Concurrent resolution to express the sense of Congress that no limitation should be placed on the Federal income tax deduction for interest paid on a residential mortgage; to the Committee on Ways and Means.

By Mr. CONYERS:

H. Res. 130. Resolution expressing the sense of the House of Representatives that the amount and timing of the annual cost-of-living adjustment currently provided under the Social Security Act should be preserved; to the Committee on Ways and Means.

By Mr. CLINGER:

H. Res. 131. Resolution expressing the sense of the Congress that legislation which would further restrict eligibility for, or access to, Federal student financial aid should not be enacted; to the Committee on Education and Labor.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

78. By the SPEAKER: Memorial of the Legislature of the State of Kansas, relative

to Federal grain grade standards; to the Committee on Agriculture.

79. Also, memorial of the Legislature of the State of Arizona, relative to the ratification of a proposed amendment to the Constitution of the United States; to the Committee on the Judiciary.

80. Also, memorial of the Legislature of the State of North Dakota, relative to the continuation of the Small Business Administration; to the Committee on Small Business.

81. Also, memorial of the Legislature of the State of Maine, relative to funding for the Small Business Administration; to the Committee on Small Business.

82. Also, memorial of the Senate of the Commonwealth of Puerto Rico, relative to the provisions of Section 936 of the Federal Internal Revenue Act; to the Committee on Ways and Means.

83. Also, memorial of the House of Representatives of the State of Kansas, relative to the personal taxation of nonbusiness travel on business aircraft; to the Committee on Ways and Means.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of Colorado:

H.R. 2065. A bill for the relief of Charles Che-Li Shen; to the Committee on the Judiciary.

H.R. 2066. A bill for the relief of Ching Jeanne Shen; to the Committee on the Judiciary.

By Mr. SHUMWAY:

H.R. 2067. A bill to validate conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to the Central Pacific Railway Co.; to the Committee on Interior and Insular Affairs.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 6: Mr. SWIFT.

H.R. 9: Mr. CHAPPELL.

H.R. 13: Mr. CHAPPIE, Mr. EDWARDS of Oklahoma, Mr. GRAY of Illinois, Mr. HENDON, Mr. LOWERY of California, Mr. RIDGE, Mrs. SMITH of Nebraska, Mr. TAUKE, Mr. WHITTAKER, and Mr. YATRON.

H.R. 36: Mr. GRAY of Illinois.

H.R. 147: Mr. BARNARD.

H.R. 180: Mr. ST GERMAIN.

H.R. 183: Mr. DOWDY of Mississippi.

H.R. 240: Mr. SILJANDER.

H.R. 242: Mr. BROYHILL.

H.R. 281: Mr. KILDEE, Mr. LIPINSKI, Mr. BORSKI, Mrs. BOXER, Mr. BROOKS, Mr. STAGGERS, Mr. WHEAT, and Mr. BIAGGI.

H.R. 386: Mr. PERKINS.

H.R. 436: Mr. GREGG.

H.R. 437: Mr. KOLBE.

H.R. 512: Mr. EDWARDS of California.

H.R. 526: Mr. PRICE, Mrs. BURTON of California, Mr. SUNIA, Mr. GARCIA, Mr. MRAZEK, Mr. DOWNEY of New York, Mr. STRATTON, Mr. MARTIN of New York, Mr. LaFALCE, Mr. WRIGHT, and Mr. SHAW.

H.R. 555: Mr. MURPHY, Mr. BADHAM, Mr. LAGOMARSINO, Mr. PACKARD, Mr. DENNY SMITH, Mr. SHUMWAY, and Mr. DELAY.

H.R. 604: Mr. NELSON of Florida and Mr. ORTIZ.

H.R. 704: Mr. EDWARDS of Oklahoma.

H.R. 747: Mr. OBEY, Mr. GRAY of Illinois, Mr. GARCIA, Mr. HOWARD, Mr. VENTO, Mr. KOLTER, Mr. RAHALL, Mr. BONIOR of Michigan, Mr. FOLEY, Mr. ROSE, and Mr. BONER of Tennessee.

H.R. 844: Mr. BADHAM, Mr. CARPER, Mr. LOWERY of California, Mr. RIDGE, Mr. STALLINGS, and Mr. WORTLEY.

H.R. 846: Mr. PENNY.

H.R. 956: Mr. HYDE.

H.R. 963: Mr. STOKES, Mr. FORD of Tennessee, and Mr. RICHARDSON.

H.R. 964: Mr. TORRICELLI.

H.R. 965: Mr. STOKES, Mr. FORD of Tennessee, and Mr. RICHARDSON.

H.R. 966: Mr. STOKES, Mr. FORD of Tennessee, and Mr. RICHARDSON.

H.R. 967: Mr. STOKES, Mr. FORD of Tennessee, and Mr. RICHARDSON.

H.R. 1000: Mr. BADHAM.

H.R. 1029: Mr. EDWARDS of Oklahoma, Mr. FIELDS, Mr. HENRY, Mr. MARLENEE, Mr. NIELSON of Utah, Mr. STALLINGS, and Mr. STENHOLM.

H.R. 1108: Mr. BEREUTER, Mr. DASCHLE, Mr. DIXON, Mr. DORGAN of North Dakota, Mr. FAZIO, Mr. FOLEY, Mr. FUSTER, Mr. HAMILTON, Mr. IRELAND, Mr. MILLER of California, Mr. OLIN, Mr. ROBINSON, Mr. SKELTON, and Mrs. VUCANOVICH.

H.R. 1125: Mr. NIELSON of Utah, Mr. HARTNETT, Mr. SAXTON, Mr. DIOGUARDI, Mr. HYDE, Mr. PORTER, Mr. SILJANDER, Mr. BADHAM, and Mr. EDWARDS of Oklahoma.

H.R. 1126: Mr. MOORHEAD, Mr. NIELSON of Utah, Mr. DAUB, Mr. PARRIS, Mr. DIOGUARDI, Mr. SAXTON, Mr. WHITTAKER, Mr. SMITH of New Jersey, Mr. GROTERBERG, Mr. BADHAM, Mr. GINGRICH, Mr. EMERSON, and Mr. BARTLETT.

H.R. 1127: Mr. MOORHEAD, Mr. DARDEN, Mr. DAUB, Mr. PARRIS, Mr. GROTERBERG, Mr. GINGRICH, and Mr. BARTLETT.

H.R. 1128: Mr. NIELSON of Utah, Mr. PARRIS, Mrs. MARTIN of Illinois, Mr. DIOGUARDI, Mr. BATEMAN, Mr. GROTERBERG, Mrs. BENTLEY, Mr. SILJANDER, and Mr. GINGRICH.

H.R. 1129: Mr. GROTERBERG, Mr. NIELSON of Utah, Mr. WORTLEY, Mrs. VUCANOVICH, Mr. WILSON, Mr. MACK, Mr. BLAZ, Mr. PARRIS, Mr. BATEMAN, Mrs. BENTLEY, Mr. GINGRICH, and Mr. PORTER.

H.R. 1145: Mr. HORTON, Mr. ANDERSON, Mr. REID, Mr. HAWKINS, Mr. BERMAN, Mr. GUARINI, Mr. HOWARD, and Mr. MITCHELL.

H.R. 1200: Mr. WORTLEY and Mr. PETRI.

H.R. 1216: Mr. ARMEY.

H.R. 1271: Mr. WILSON and Mr. WOLPE.

H.R. 1297: Mr. VENTO and Mr. DURBIN.

H.R. 1316: Mr. AKAKA, Mr. BEDELL, Mr. CROCKETT, Mr. DEWINE, Mr. EDGAR, Mr. KILDEE, Mr. KOSTMAYER, Mrs. LLOYD, Mr. MARTINEZ, Mr. MOAKLEY, Mr. SABO, Mr. SENSENBRENNER, Mr. SHAW, Mr. THOMAS of Georgia, and Mr. SPRATT.

H.R. 1347: Mr. BADHAM.

H.R. 1361: Mr. RUSSO and Mr. MATSUI.

H.R. 1398: Mr. FAZIO, Mr. CROCKETT, and Mr. MARTINEZ.

H.R. 1419: Mr. GINGRICH.

H.R. 1482: Mr. GREEN, Mr. ACKERMAN, Mr. MARTINEZ, Mr. SOLARZ, Mr. EDWARDS of Oklahoma, Mr. FAZIO, and Mr. CROCKETT.

H.R. 1550: Mr. CROCKETT and Mr. STAGGERS.

H.R. 1683: Mr. LEACH of Iowa, Mr. DAUB, Mr. CHANDLER, Mr. DYMALLY, Mr. OWENS, Mr. MRAZEK, Mr. FAUNTROY, Ms. KAPTUR, Mr. BARTON of Texas, Mr. PENNY, Mr. COATS, Mr. DEWINE, Mr. FORD of Tennessee, and Mr. MARTINEZ.

H.R. 1684: Ms. MIKULSKI, Mr. REID, Mr. MARTINEZ, Mr. WILLIAMS, Mr. DEWINE, Mr. CROCKETT, Mr. DORNAN of California, and Mr. WORTLEY.

H.R. 1704: Mr. HUTTO, Mr. SAXTON, Ms. OAKAR, Mrs. COLLINS, Mr. DANIEL, Mr. VENTO, Mr. SUNIA, Mr. WEBER, Mr. DORNAN of California, Mr. LAGOMARSINO, and Mr. MURPHY.

H.R. 1706: Mr. SCHUMER.

H.R. 1730: Mr. MAVROULES, Mr. THOMAS of Georgia, Mr. DARDEN, Mr. LIGHTFOOT, Mr. ARMEY, Mr. ROBINSON, Mr. SWINDALL, and Mr. TAUKE.

H.R. 1746: Mr. HYDE, Mr. SILJANDER, Mr. SOLOMON, Mr. YATRON, Mr. CONYERS, Mr. SAVAGE, Mr. PEPPER, Mr. ROE, Mr. WOLF, Mr. KOSTMAYER, Mr. WILLIAMS, Mrs. COLLINS, Mr. BERMAN, and Mr. FUSTER.

H.R. 1763: Mr. DORNAN of California, Mr. DAUB, Mr. KINDNESS, and Mrs. SCHNEIDER.

H.R. 1771: Mr. HUTTO and Mr. RAY.

H.R. 1776: Mr. FAUNTROY, Mr. MURPHY, Mr. STOKES, and Mr. FRANK.

H.R. 1785: Mr. SAVAGE, Mr. OWENS, Mr. FAUNTROY, Mr. HAWKINS, and Mr. STOKES.

H.R. 1816: Mr. ROSE, Mr. TOWNS, Mr. LELAND, Mr. BOUCHER, Mr. GARCIA, Mr. CONYERS, Mr. OWENS, Mr. SMITH of Florida, Ms. KAPTUR, Mr. SOLARZ, Mr. EVANS of Illinois, Mr. FAZIO, and Mr. FORD of Tennessee.

H.R. 1817: Mr. ROSE, Mr. TOWNS, Mr. LELAND, Mr. BOUCHER, Mr. GARCIA, Mr. CONYERS, Mr. OWENS, Mr. SMITH of Florida, Ms. KAPTUR, Mr. SOLARZ, Mr. FAZIO, and Mr. FORD of Tennessee.

H.R. 1856: Mr. MILLER of California, Mr. HAYES, Mrs. COLLINS, Mr. SAVAGE, Mr. KOSTMAYER, Mr. BARNES, Mr. BERMAN, Mr. STOKES, Mr. DIXON, Mr. ROYBAL, Ms. KAPTUR, Mrs. BOXER, and Mr. CARR.

H.R. 1908: Mr. BLILEY and Mr. MURPHY.

H.R. 1916: Mr. DICKS, Mr. YATRON, Mr. BILIRAKIS, Mr. DYMALLY, Mr. DANIEL, Mr. DONNELLY, Mr. MURPHY, and Mr. PERKINS.

H.J. Res. 46: Mr. ORTIZ, Mr. GEPHARDT, Mr. EDGAR, Mr. BLAZ, Mr. MCKERNAN, Mr. MANTON, Mr. SMITH of New Jersey, Mrs. BENTLEY, Mr. BORSKI, Mr. SAXTON, Mr. LIGHTFOOT, and Mr. BLILEY.

H.J. Res. 79: Mr. CALLAHAN, Mr. SHELBY, Mr. HAYES, Mr. HOWARD, Mr. SMITH of New Jersey, Mr. VENTO, Mr. DICKINSON, Mr. SAXTON, Mr. MAVROULES, Mr. AKAKA, Mrs. BENTLEY, Mrs. BYRON, and Mr. CLAY.

H.J. Res. 91: Mr. BLILEY, Mr. SHUMWAY, and Mr. DELAY.

H.J. Res. 101: Mr. MATSUI.

H.J. Res. 131: Mr. EVANS of Illinois, Mrs. LLOYD, Mr. HERTEL of Michigan, Mr. O'BRIEN, Mr. MARTIN of New York, Mr. RAHALL, Mr. WEISS, Mr. BERMAN, Mr. ROE, Mr. SMITH of New Jersey, Mr. YOUNG of Alaska, Mr. LUNGREN, Mr. DAUB, Mr. FAZIO, Mr. BEVILL, Mr. SMITH of Florida, Mrs. COLLINS, Mr. MURPHY, Mr. FAUNTROY, Mr. DWYER of New Jersey, Mr. MILLER of California, and Mr. CALLAHAN.

H.J. Res. 133: Mrs. BURTON of California and Mr. DORGAN of North Dakota.

H.J. Res. 136: Mr. LEACH of Iowa, Mr. ST GERMAIN, Mr. TORRES, Mr. VISCLOSKEY, Mrs. LLOYD, Mr. GEPHARDT, Mr. FOLEY, Mr. LOWERY of California, and Mr. PANETTA.

H.J. Res. 137: Mr. ROBERT F. SMITH, Mr. BLAZ, Mr. RANGEL, Mr. WRIGHT, Mr. GONZALEZ, Mr. COLEMAN of Texas, Mr. RALPH H. HALL, Mr. WILSON, Mr. LOWRY of Washington, Mr. FLORIO, Mr. SABO, and Mr. SCHUETTE.

H.J. Res. 154: Mr. SOLARZ, Mr. HOPKINS, Mr. DERRICK, Mr. HORTON, Mr. JACOBS, Mr. MCEWEN, Mr. CHANDLER, Mr. CHAPPIE, Mr. BEVILL, Mr. FAZIO, Mr. FOLEY, Ms. KAPTUR,

Mr. LEACH of Iowa, Mrs. MARTIN of Illinois, and Mr. PANETTA.

H.J. Res. 161: Mr. BERMAN, Mr. BOLAND, Mr. DAUB, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. EDGAR, Mr. EVANS of Iowa, Mr. FAUNTROY, Mr. FOWLER, Mr. LUNGREN, Mr. MCEWEN, Mr. MATSUI, Ms. OAKAR, Mr. RICHARDSON, Mr. STENHOLM, Mr. STOKES, Mr. TOWNS, Mr. VENTO, Mr. BARNES, and Mr. MURPHY.

H.J. Res. 179: Mr. BARNARD, Mr. BONER of Tennessee, Mr. BONIOR of Michigan, Mr. BROOKS, Mr. BRYANT, Mr. CARR, Mr. COELHO, Mr. CONYERS, Mr. COYNE, Mr. DASCHLE, Mr. DERRICK, Mr. EARLY, Mr. ENGLISH, Mr. GINGRICH, Mr. HATCHER, Mr. HOWARD, Mr. HUTTO, Mr. JONES of North Carolina, Mr. KANJORSKI, Mr. KLECZKA, Mr. LAGOMARSINO, Mr. LATTI, Mr. LEVINE of California, Mr. LIGHTFOOT, Mr. LOWRY of Washington, Mr. LUNDINE, Mr. MARTINEZ, Mr. MRAZEK, Mr. MURPHY, Mr. O'BRIEN, Mr. PACKARD, Mr. ROBINSON, Mr. ROGERS, Mr. SPRATT, Mr. VENTO, Mr. WHITTEN, and Mr. WIRTH.

H.J. Res. 204: Mr. TOWNS, Mr. BERMAN, Mr. DYMALLY, Mr. FEIGHAN, Mr. HORTON, Mr. BUSTAMANTE, Mr. ADDABBO, Mr. SMITH of Florida, Ms. OAKAR, Mr. BROWN of California, Mr. MOLINARI, Mr. PEPPER, Mr. OWENS, Mr. STRANG, Mr. LEHMAN of Florida, Mr. FUSTER, Mr. WEISS, Mr. McGRATH, Mr. SCHEUER, Mr. CROCKETT, Mr. HEFTTEL of Hawaii, Mr. FORD of Tennessee, Mr. HATCHER, Mrs. COLLINS, Mr. DOWNEY of New York, and Mr. DAUB.

H.J. Res. 205: Mr. JACOBS, Mr. MOAKLEY, Mr. ROBERTS, Mr. LEWIS of California, Mr. CHAPPELL, Mr. TOWNS, Mr. LELAND, Mr. DANIEL, Mr. DARDEN, Mr. MORRISON of Connecticut, Mr. CARPER, Mr. MAZZOLI, Mr. MONTGOMERY, Mr. FEIGHAN, Mr. WILSON, Mr. HORTON, Mr. JENKINS, Mr. BORSKI, Mr. LAGOMARSINO, Mr. BOUCHER, Mr. MCCAIN, Mr. HEFTTEL of Hawaii, Mr. FLORIO, Mr. FAUNTROY, Mr. BROYHILL, Mr. KINDNESS, Mr. RAHALL, Mr. VOLKMER, Mr. WEBER, Mr. LIGHTFOOT, Mr. LUNGREN, Mr. CONTE, Mr. McMILLAN, Mr. BONIOR of Michigan, Mr. HANSEN, Mr. ROSE, Mr. COYNE, Mr. APPLEGATE, Mr. GEJDENSON, Mr. BERMAN, Mr. MURPHY, Mr. SMITH of Florida, Mr. WOLF, Mr. ADDABBO, Mr. EDGAR, Mr. MOLINARI, Ms. OAKAR, Mr. GIBBONS, Mr. NELSON of Florida, Mr. TALLON, Mr. KOSTMAYER, Mr. LEVINE of California, Mr. EVANS of Illinois, Mr. OWENS, Mr. BILIRAKIS, and Mr. HYDE.

H.J. Res. 211: Mr. JENKINS, Mr. CONYERS, Mr. HORTON, Mr. BONER of Tennessee, Mr. ROSE, Mr. WEISS, Mr. LUNGREN, Mr. HATCHER, Mr. WILSON, Mr. SMITH of Florida, Mr. KOLTER, Mr. STALLINGS, Ms. KAPTUR, Mr. ROE, Mr. BEVILL, Mr. THOMAS of Georgia, Mr. VENTO, Mr. FROST, Mr. HOWARD, Mr. SKELTON, Mr. SIKORSKI, Mr. FORD of Tennessee, Mr. DARDEN, and Mr. PUQUA.

H.J. Res. 230: Mr. LAGOMARSINO and Mr. ROSE.

H.J. Res. 234: Mrs. COLLINS, Mr. EVANS of Illinois, Mr. LEVIN of Michigan, Mr. WEISS, Mr. VENTO, Mr. TOWNS, Mr. AKAKA, Mr. DASCHLE, Mr. DWYER of New Jersey, Mr. OWENS, Mr. HEFTTEL of Hawaii, and Ms. KAPTUR.

H. Con. Res. 18: Mr. MOLLOHAN.

H. Con. Res. 21: Mr. KOLTER.

H. Con. Res. 37: Mr. BUSTAMANTE, Mr. DINGELL, Mr. GROTERBERG, Mr. DENNY SMITH, Mr. SWINDALL, Mr. BILIRAKIS, Mr. DYMALLY, Mr. ENGLISH, Mr. EVANS of Illinois, Mr. FLIPPO, Mr. NELSON of Florida, and Mr. VALENTINE.

H. Con. Res. 40: Mr. LUNGREN and Mr. EDWARDS of Oklahoma.



H. Con. Res. 41: Mr. HOWARD, Mr. YOUNG of Alaska, Mrs. SCHNEIDER, Ms. KAPTUR, Mr. LEACH of Iowa, Mr. FRANKLIN, and Mr. MYERS of Indiana.

H. Con. Res. 57: Mrs. ROUKEMA and Mr. PURSELL.

H. Con. Res. 69: Mr. McCURDY, Mr. PEPPER, Mr. ST GERMAIN, Mr. FRANK, Mr. CARNEY, Mr. HUTTO, and Mr. BIAGGI.

H. Con. Res. 74: Mr. GARCIA, Mr. BARTON of Texas, Mr. MONSON, Mr. JEFFORDS, Mr. LAGOMARSINO, Mr. BILIRAKIS, Ms. MIKULSKI, Mr. McGRATH, Mr. BIAGGI, Mr. FIELDS, Mr. REID, Mr. CHANDLER, Mrs. COLLINS, Mr. FAZIO, Mr. PORTER, Mr. FORD of Tennessee, Mr. LENT, Mr. WORTLEY, and Mr. BURTON of Indiana.

H. Con. Res. 95: Mrs. BURTON of California, Mr. HOYER, Mr. FUSTER, Mr. CONYERS, Mr. JACOBS, Mr. HAMMERSCHMIDT, Mr. DIXON, Mr. MOAKLEY, Mr. FOLEY, Mr. WEISS, Mr. BONER of Tennessee, Mr. COYNE, Mr. STOKES, Mr. LELAND, Mr. PEPPER, Mr. BERMAN, Mr. BARNES, Mr. ROE, Mr. UDALL, Mr. EVANS of Iowa, Mr. SCHEUER, Mr. SAVAGE, Mr. FAUNTROY, Mr. DYSON, Mr. STENHOLM, Mr. DWYER of New Jersey, Mr. AKAKA, Mrs. COLLINS, Mr. SMITH of New Jersey, and Mr. EARLY.

H. Con. Res. 99: Mr. EVANS of Illinois, Mr. FRANK, Mr. ANDREWS, Mrs. BOXER, Mr. FROST, Mr. SMITH of Florida, Mr. SAVAGE, Mr. CHANDLER, Mr. DANIEL, Mr. AKAKA, Mr. RUSSO, Mr. WHEAT, Mr. MONSON, Mr. GRAY of Illinois, Mr. ZSCHAU, Mr. RANGEL, Mr. THOMAS of Georgia, Mr. HATCHER, Mr. LEVINE of California, Mr. DIOGUARDI, Mr. WEISS, Mr. LIGHTFOOT, Mr. CROCKETT, Mr. MARTINEZ, Mr. FAZIO, Mr. REID, Mr. LEHMAN of California, Mr. FORD of Tennessee, Mr. TOWNS, Mr. FUSTER, Mr. CONYERS, Mr. DORGAN of North Dakota, Mr. KLECZKA, Mr. PEPPER, Mr. GILMAN, Mr. MURPHY, Mr. CHAPPIE, Mr. HOYER, Mr. ECKERT of New York, and Mr. COLEMAN of Texas.

H. Res. 60: Mr. HOPKINS, Mr. DELAY, and Mr. LIVINGSTON.

H. Res. 105: Mr. ROE, Mr. RAHALL, Mr. HUBBARD, Mr. MURPHY, Mr. WEISS, Mr. DANIEL, Mr. KOLTER, Ms. MIKULSKI, Mr. GALLO, Mr. DARDEN, Mr. RANGEL, Mr. SEN-SENRENNER, Mr. DIOGUARDI, Mr. BIAGGI, Mr. LENT, Mr. WORTLEY, Mr. CROCKETT, Mr. HORTON, and Mr. TOWNS.

H. Res. 122: Mr. LELAND, Mr. STAGGERS, Mr. TOWNS, Mr. KANJORSKI, Mr. HAYES, Mr. SAVAGE, Mr. OBERSTAR, Mr. VENTO, Mr. STOKES, Mr. ROE, and Mr. BOUCHER.

H. Res. 127: Mr. BOLAND, Mr. CARPER, Mr. DOWNEY of New York, Mr. BRYANT, Mr. LENT, Mr. MOAKLEY, Mr. BOSCO, Mr. LELAND, Mr. COYNE, Mr. BIAGGI, Mr. FISH, Mr. DYSON, Mr. KEMP, Mr. ROE, Mr. PEPPER, Mr. YATES, Mr. ARCHER, Mr. NOWAK, Mr. HAYES, Mr. HEFTEL of Hawaii, Mr. DWYER of New Jersey, Mr. MCCAIN, Mrs. JOHNSON, Mr. SIL-JANDER, Mrs. COLLINS, Mr. ACKERMAN, Mr. DIOGUARDI, Mr. ECKERT of New York, Mr. GARCIA, Mr. GREEN, Mr. McGRATH, Mr. McHUGH, Mr. SCHEUER, Mr. SCHUMER, Mr. TOWNS, Mr. WORTLEY, Mr. VANDER JAGT, Mr. LANTOS, Mr. KOSTMAYER, Mr. UDALL, Mr. BOUCHER, Mr. FRANK, Mr. SAXTON, and Mr. MRAZEK.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 528: Mr. LOWERY of California.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

83. By the SPEAKER: Petition of the City Council, New York, NY, relative to the Job

Corps; to the Committee on Education and Labor.

84. Also, petition of the City Council, New Bedford, MA, relative to International Flag Week; to the Committee on Foreign Affairs.

85. Also, petition of the City Council, New York, NY, relative to the Supplemental Compensation Program; to the Committee on Ways and Means.

#### AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1617

By Mr. PURSELL:

—At the end of the bill, add the following new section:

#### LIMITATION ON TOTAL AUTHORIZATION

SEC. 13. Notwithstanding any of the preceding provisions of this Act—

(1) the total amount authorized to be appropriated to the Secretary of Commerce for activities and expenses of the National Bureau of Standards under sections 2, 3, and 4 shall not exceed the total amount appropriated for activities and expenses of such Bureau for fiscal year 1985;

(2) the amount authorized to be appropriated to the Secretary for activities of the Office of Productivity, Technology, and Innovation under section 9 shall not exceed the total amount appropriated for activities of such Office for fiscal year 1985; and

(3) the amount authorized to be appropriated to the Secretary for patent licensing activities of the National Technical Information Service under section 10(b) shall not exceed the total amount appropriated for patent licensing activities of such Service for fiscal year 1985.